

# SCOTLAND'S STORY



**14**

**The uncrowned  
king who ruled for  
absent James**

**The Reivers who  
were born to raid**

**Living in the  
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**1406**

Robert Stewart, Duke of Albany, is appointed Governor of Scotland to rule for his captive nephew James.



**1411**

The inconclusive Battle of Harlaw is fought between the Lord of the Isles and the Earl of Mar.



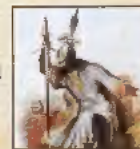
**1424**

James I returns from 18 years of captivity to be crowned at Scone.



**1428**

Alexander MacDonald, Lord of the Isles, is arrested by James at Inverness.



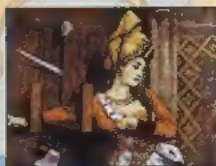
**1425**

James moves swiftly to exert his authority by executing his Governor Murdoch.



**1437**

James I is murdered in Perth despite a maid's attempt to bar the door.



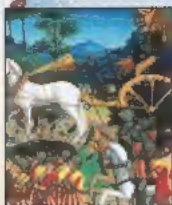
**1429**

The Auld Alliance at work as Scots soldiers see action in the Relief of Orleans.



**1503**

James IV defies King Henry VII's demands to rescind the Auld Alliance.



**1530**

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**In Part 15:**  
The power of  
the Douglasses

PART OF  
IRELAND

North  
Channel

PART OF  
ENGLAND



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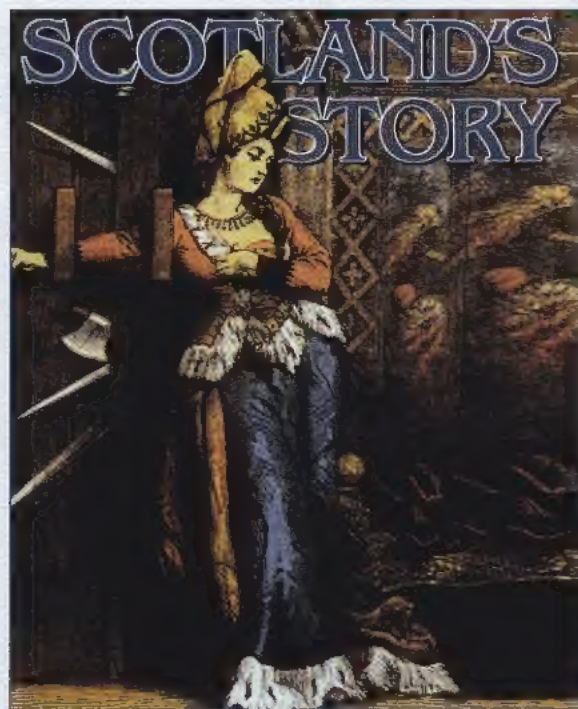
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**COVER:** They shall not pass. The Queen's maid, Katherine Douglas, made a futile attempt to bar the door to the assassins intent on killing James I.

# A reign that was born in violence

The reign of James I was nothing if not dramatic. It started with a high profile execution and ended with the King's own violent death at the hands of a gang of assassins.

Between times money, or rather the lack of it, dominated his affairs.

Having established his authority by beheading Murdoch, the hapless Governor of the kingdom during the last years of his captivity, James espoused a lifestyle arguably beyond Scotland's modest means.

He spent lavishly on the trappings of his court, built the extravagant Linlithgow Palace and indulged his passion for expensive cannon.

He was a paradox of a man, a talented musician and poet and a bully with a mercurial temper.

Ultimately he tried to raise a tax too far and was stabbed by assassins led by one of Murdoch's kinsmen.

His legacy was re-establishing powerful central government, and setting the standards of the great European courts for his heirs.

On the face of it, the Auld Alliance between Scotland and France was an unlikely accord, uniting as it did a tiny nation on the edge of Europe with one of the

superpowers of the day.

There are those who might argue there could be no stronger bond than a mutual distrust of the English kings' predatory ambitions.

But the Alliance seems to have been founded in a common bond between the two nations.

The French kept their side of the bargain by giving refuge to the likes of Robert Bruce's infant son David.

And the Scots more than repaid the debt, often with their lives. Scots armies frequently went to the aid of the French, and there is even a lost clan, which apparently settled in the Swiss Alps.

Whatever the glue that kept it together, the Auld Alliance was a force to be reckoned with in the 14th, 15th, and 16th centuries.

Few cases have aroused such passion, or brought such shame on Scottish justice, as the conviction for murder of Oscar Slater.

It took the combined talents of Sir Arthur Conan Doyle and a dogged policeman who refused to give up, to save Slater from the gallows.

And another 25 years before he won his freedom.

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# The uncrowned



■ The great hall of the Duke of Albany's magnificent palace at Doune, near Stirling. Right: the regent's coat of arms.

# King of Scots

The English called him a scheming usurper but Robert Stewart, the Duke of Albany, pulled Scotland through tough times until James, the rightful king, was freed

**W**hen James Stewart, the heir to the throne, was captured by English pirates, and his father, Robert III, died – in the spring of 1406 – Scotland was plunged into a constitutional crisis that was to leave her without a king for the next 18 years.

Into this breach stepped Robert Stewart, first Duke of Albany, Earl of Fife and Menteith, who was entrusted with the rule of the kingdom as Scotland's first Governor.

Although tainted by his involvement in the death of his nephew, the Duke of Rothesay, in 1402, Albany was otherwise well qualified to lead the country.

Second in line to the throne and very much the elder statesman by the time he took office, Albany had already acted as guardian or lieutenant when both his father, Robert II, and brother, Robert III, were forced to transfer power either through ill-health or incompetence.

The great wealth and influence amassed by Albany during the reigns of the early Stewart Kings was to be given potent expression in his magnificent palace at Doune, near Stirling.

The main duties of the new Governor were to defend the realm from her enemies, and to keep the peace within. The first responsibility was the most pressing as Scotland was still at war with its habitual enemy, England – which now had the added diplomatic advantage of custody of the future James I.

Both Henry IV (1399-1413) and Henry V (1413-22) were at pains to portray James as the rightful King of Scots, and Albany as a scheming usurper.

In this way, the Lancastrian kings used James as a front for their ultimate ambition – to subject Scotland to English sovereignty, just as Edward I had used John Balliol,

more than 100 years earlier.

The Scots, however, refused to allow the English kings any influence over their affairs, and though they acknowledged James as their king and made almost annual diplomatic efforts to secure his return, they denied him any authority while he remained uncrowned and a prisoner.

Instead, the Scots set about ridding southern Scotland of all English-held garrisons, and achieved some success by recapturing both Fast Castle, near St. Abb's, Berwickshire, and Jedburgh Castle.

Less successful was the 'Foul Raid' of 1417, when the Governor advanced southwards to besiege Berwick and the Earl of Douglas set out to besiege Roxburgh, with both being forced to retreat without accomplishing either objective.

The Scots also sought a renewal of the 'Auld Alliance' with France, and this was concluded early in 1407 – unsettling the English who were still in the midst of their 'Hundred Years War' against the French.

After his success at Agincourt in 1415, Henry V attempted to remove the Scots from the diplomatic equation by repeating the claims of English sovereignty over Scotland in 1416. Unmoved by this tactic, the Scots went on to answer France's call for help by sending a contingent of troops under the command of the Governor's son, the Earl of Buchan, in 1419.

In 1420, with the hope that James could induce the Scots to lay down their arms, Henry brought the young king to serve under him in France, where the Scots were then defending the French garrison at Melun, to the south of Paris.

Dressed in the Scottish royal arms, James was forced to command Buchan to come over to him, but this Buchan refused to do while James was a prisoner.

When Melun finally fell to the English, the Scots were excluded



■ The Duke of Albany, right, with his older brother, Robert III.

from the treaty of surrender and executed as traitors to their king.

Keeping the peace within the Scottish kingdom was to prove just as challenging. The murder of the Earl of Strathern in 1413, and the activities of the Earl of Douglas in extorting money from the royal customs, prompted contemporaries to complain of the many 'outrages' committed during the Governor's term in office. However, in the absence of the king, Albany was unable to call parliament, which alone had the power to punish the nobles by forfeiting their lands and titles.

The Governor was forced to fall back on his skills as a politician, and, thanks to his many children and his status as head of the Stewart family, he was able to reconcile warring factions by arranging marriages between them. Even the maverick Earl of Douglas was to be appeased to some extent by the marriage of his daughter to the Governor's son, the Earl of Buchan.

A more serious challenge to the Governorship was to come in 1411 when Donald, Lord of the Isles, marched into Ross, seized Dingwall ►





■ St Andrews, the east-coast home of Scotland's first university where teaching began during the Albany Regency.

► Castle and sacked the town of Inverness, before continuing south through Aberdeenshire where he was met by the Earl of Mar at Harlaw on July 24.

Known as 'Red Harlaw' because of its huge number of casualties, the battle was one of bloody attrition which lasted from dawn to dusk.

The conflict was said to have originated over the fate of the earldom of Ross, whose young heiress, Donald's niece, was in the hands of her grandfather, the Governor Albany.

Albany certainly planned to ignore Donald's interests and confer the earldom on the Earl of Buchan, but this did not take place until after 1415.

In reality, the battle of Harlaw was probably as much inspired by the friction between Donald and Mar, who were bitter rivals for control of the north-east Highlands.

Harlaw itself produced no real winners. Though Donald later assumed the title 'Lord of the earldom of Ross', Mar sustained his position as the main government agent in the north, ensuring that the Highlands continued to be a source of unrest that was to trouble James I and his successors.

However, the first Duke of

Albany's regency was not all conflict and war.

Teaching began at St Andrews in 1410, with Pope Benedict XIII's confirmation of its status as Scotland's first university following in 1413.

Part of the reason for its foundation lay in the circumstances of the Great Schism which, since 1378, had seen western Christendom split by the presence of two rival popes. Given the attempts by successive English kings to interfere in the appointment of Scottish bishops, and to involve the papacy in their plans to deny Scotland her independence, it is not surprising that the Scots followed the French in professing obedience to the Avignon pope, while the English and their German allies adhered to his Roman counterpart.

Aside from simplifying matters for Scots who had to travel abroad during time of war and Schism for a university education, St Andrews also allowed the Scots a forum to tackle the growing problem of religious heresy. It was during the Governorship that the English heretic, James Resby, was burned at the stake in 1408.

But the foundation of St Andrews

was also an expression of national confidence. This self-belief served Scotland well in resisting attempts to force her to adhere to the church council at Constance, which was set up in 1414 under the auspices of the English and Germans to resolve the Schism.

Suspicious of the council's agenda, Scotland was one of the last to remain loyal to Pope Benedict. However, despite the Governor's own preference for Benedict, he could not resist the growing tide of opinion in favour of the new pope, Martin V, elected at Constance in 1417. Nevertheless, Scots did not offer their obedience to Pope Martin until 1419, after negotiating an agreement that safeguarded the liberties of the Scottish Church and ensured its freedom from English interference.

The first Duke of Albany was in



his eighties when he died at Stirling in September, 1420. He may not have been without ambition, but he does not deserve the criticism heaped upon him by modern historians, who accuse him of being a political schemer with designs on the Scottish throne.

The last word is best left to his own contemporaries who, in mourning the passing of a man who had steered the kingdom through 14 difficult years, signalled appreciation of their 'uncrowned king' by burying him with full royal honours in Dunfermline Abbey – the resting place of his great-grandfather, Robert the Bruce.

With the appointment of his son, Murdoch, as the new Governor, Scots had high hopes that the first duke's style of leadership would continue.

Unfortunately, though Murdoch may have inherited his father's lands and titles, he did not possess his political abilities. Writers at the time were particularly critical of the unruly behaviour of his sons, and Murdoch's apparent inability to control them.

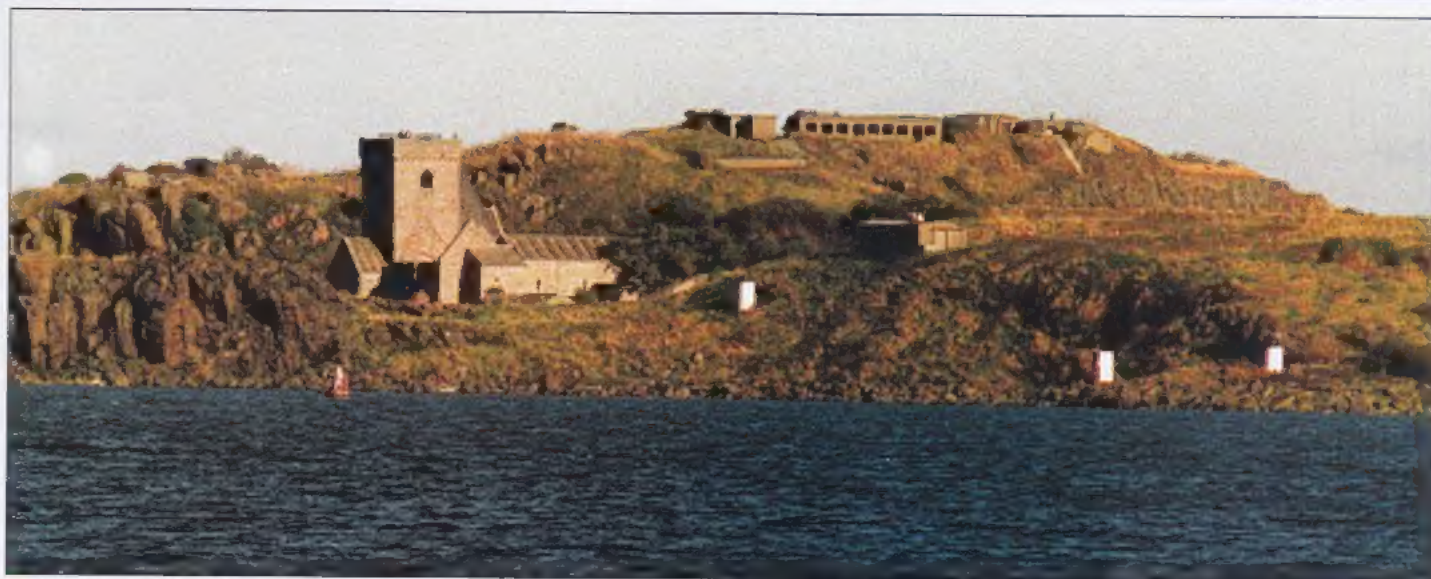
After the death of Henry V in 1422, the English government – wearied by war and then in the throes of their own regency due to the infancy of Henry VI – decided to negotiate the release of King James on the condition that the Scots remained neutral in the Anglo-French war. The Scots were willing to pay a ransom of £40,000 for their king, but would not abandon their French ally.

All the English were able to achieve was a seven-year truce and a promise not to send any more troops to France during that time.

For their part, the Scots may have been unable to extract from the English a formal recognition of Scottish independence, but the ensuing treaty between the two sides tacitly acknowledged this fact by referring to James and his successors as Kings of Scots.

Unfortunately, as Murdoch and his family were to discover, the achievement of the two Governors in ensuring the survival of the Stewart dynasty and preserving the independence of the Scottish kingdom was not to be appreciated by the vengeful James I, when he first set foot on Scottish soil in the spring of 1424 after 18 years of enforced absence. ●

■ The seal of Robert, Duke of Albany, who ruled as Scotland's first governor.



■ King Alexander's abbey on Inchcolm island in the Firth of Forth, where the Antiphoner – a musical manuscript – originated eight centuries ago.

# Songs across centuries

**From the Inchcolm Antiphoner we can still hear plainchant as sung by monks on the Forth 800 years ago**

Scotland's Inchcolm Antiphoner is one of the most important yet neglected manuscripts in the history of early European music.

It contains the only definitive remnants of the music of the Celtic Church, which was responsible for Christianising large areas of Europe. And it includes music probably composed in the 7th century, whose melodies are as unique as the organisation and practices of this ancient Church.

The manuscript also shows that from an early date, Scotland's music has had a distinctive identity. It was written down, probably in the 13th century, on the island of Inchcolm, which lies in the Firth of Forth and can be clearly seen from Edinburgh.

The music, known as plainchant, is the unaccompanied vocal music of the early Church, and it formed part of the soundtrack of the arrival of Christianity in Scotland.

Plainchant was sung tirelessly by monks as a means of providing their devotion with a grace and beauty that gloried God and the saints, and no doubt cheered an otherwise pretty spartan existence.

Thanks to the Inchcolm Antiphoner, we can still hear the

monks' haunting melodies today.

In modern performance, each note in the composition is given roughly the value of a quaver, although nobody knows exactly how the plainchant was sung. This is because in the manuscript the words to the chants are strung out along the staves with no sign as to the length of each.

By the time of its creation, the abbey might have been expected to be devoted to Gregorian chant – a type of chant which honoured St Gregory – whose use had been decreed elsewhere by Scottish Benedictine and musical theorist Aaron Scotus in the 11th Century.

But among other things, the Inchcolm Antiphoner contains plainchant for a service in memory of the distant St Columba of Iona.

This Columban connection dates back to the foundation of the abbey by King Alexander I, an account of which is given by Medieval chronicler Walter Bower – who was himself an abbot of Inchcolm.

When crossing the Forth at Queensferry in the year 1123, Alexander was forced to seek refuge on the island of 'Aemonia'.

The king and his retinue survived thanks to the support of an island

hermit who was a dedicated follower of St Columba.

Alexander vowed he would give thanks by founding a monastery on the island – affording shelter to sailors and the shipwrecked – dedicated to Columba. This he did, and the island then became Inchcolm, or Columba's island.

Many chants were shared commonly throughout Europe, and parts of the manuscript draw on widely-shared material.

But all the texts referring to Columba in the Inchcolm manuscript are unique, and for many of these the music is also unique. They may come from a long-lost 7th century manuscript composed and housed on Iona.

Among the unique chants are settings of texts which show an intimate connection with early Celtic Latin, and a close relationship with Adomnán's *Life of Columba* written in the late 7th century.

If a relationship between texts such as Adomnán's 'Life' and the structure of the music can be found, we will know with certainty they were conceived at the same time.

Leading opinion holds that the mention of Rome in one of the unique chants is strong evidence of the composition dating from around Adomnán's time.

Iona reluctantly brought its church practices into line with Rome not long after Adomnán's death. The word 'Romani' is set to the lowest note in the chant,

suggesting a negative association.

But the emotive words 'you sweeten bitter apples' see the music sweep to its highest note. The 7th century conversion to Roman practices may have been the bitter apple referred to here, sweetened by the monks' continued devotion to their founding father, Columba.

The manuscript also contains plainchant known to have originated at Inchcolm. The refuge which Alexander I intended the abbey to provide was often abused by pirates.

The plainchant 'Pater Columba' prays for deliverance from them, and was surely composed there.

The close relationship between words and music in the manuscript is one of subtlety and refinement.

When sung, the intermingling of the two has a fine detail and command of overall structure reminiscent of the great illuminated pages of the Book of Kells.

Considering the Celtic love of formal patterning, immensely sophisticated yet fluid, it is not surprising that something similar emerged in their church music.

The Inchcolm Antiphoner is a beautiful testament to the importance of ancient music to Scotland's rich cultural tapestry, while at the same time showing the Scots to have been at the heart of European musical tradition.

It is truly wonderful. It allows us to imagine that we are standing among Columban monks from 1,300 years ago. ●

# THE WAS

He was a poet, a ruthless ruler, a spendthrift – and a mixed blessing for a Scotland in need of a strong king. But money was his weakness and his downfall. As James I tried to raise one sum too many, other equally ruthless figures began to move against him

■ James was a firm master of the realm but depended on revenue from the people. Opposite: James's eldest daughter Margaret is shown on the cover of a book. She was married when just four years old to the Dauphin of France – later King Louis XI – but she died neglected and childless at the age of 20.

# KING'S RANSOM HIS WAY OF LIFE

**J**ames I, the third Stewart King of Scots, cast a long shadow over his country. From the instant of his death at the hands of a group of assassins, his character and achievement were the centre of controversy.

To his killers, and to other Scots, James was a tyrant, a king who ruled without concern for the law; who imprisoned and executed men, including his own relatives, for their lands and wealth; and who oppressed his people with new taxes and financial demands. Because James had broken the oath he swore at his coronation to rule justly and protect his subjects, those subjects felt no obligation to him.

Yet many others lamented the death of the king, their 'lost leader'. James's son was still a child, and for the next decade the Scots endured a government of competing factions and the domination of ambitious nobles. They looked back to James I as a king who controlled feuding, ensured good justice and protected the common people from aristocratic misrule.

James left a model for good government, an example to be copied by his son. His death was not just murder, but a crime against God's order, unthinkable to all but the most wicked. James fell as a martyr, killed in defence of justice and peace in his realm.

Such conflicting views of the king reflect James's approach to government. From the day on which he returned to his homeland in 1424, he set out to restore the power and prestige of Scottish kingship. He had waited a long time for power. In 1406, as a child of 12, he had been captured by English pirates and spent his youth and early manhood as a prisoner of the kings of England. These years shaped James's political views.

He compared the power and prestige of Henry V of England with the miserable experiences of his father and elder brother at the hands of the Scottish nobility. While they had lost power to their kinsmen, the dukes of Albany, James determined to act as the effective master of his realm.

He spoke out against the rule of his cousin Murdoch, Duke of Albany, and during his

first year in Scotland the new king gradually isolated the duke and his family from their allies. Indeed, in March, 1425, James struck against the whole house of Albany. Two months later, sitting in parliament at Stirling, the King condemned to death Murdoch, two of his sons, and his father-in-law the Earl of Lennox. James watched from the castle walls as they were beheaded.

The executions won James immediate respect. For the rest of his life he would be feared by the magnates of his kingdom as recent kings had never been. He sought to use his victory as the basis for a prestigious modern monarchy in Scotland, following the fashions of European princely behaviour which he had seen in England and France. He and his English queen, Joan Beaufort, spent heavily on clothes, jewellery and the trappings of courtly life while, in typical Medieval contrast, the king founded a priory near Perth for the deeply austere order of Carthusian monks.

The greatest royal project was the building of a palace at Linlithgow, west of Edinburgh. From a ruined royal manor house, James built a residence which was not a fortress but designed as a setting for the royal court. Its massive hall and comfortable apartments demonstrated the wealth and taste of the king to foreign visitors and his Scottish subjects.

The king also spent heavily on weapons of war – like cannon from the Low Countries, the most powerful of which was called Lion. These great guns, forerunners of Mons Meg, were bought

for their propaganda effect as much as their practical use in war. Possession of a train of guns impressed rival rulers and made James seem more valuable as an ally and dangerous as an enemy.

James had returned home as an English puppet saddled with a large ransom for his release from captivity. In four years he had negotiated a renewed alliance with France which allowed him to escape English influence. While England and France fought on the Continent, James was able to play off the two realms against each other.

The rewards of this policy came in 1436, when James's four-year-old daughter, ▶





Left: James I's book-loving daughter Isabella is shown with St Francis of Assisi in a miniature from one of her books.

Right: a fanciful fresco by the 15th-century Italian artist Pinturicchio shows Pope Pius II on a visit to the court of King James I in 1435



► Margaret, married Louis, the heir to the French throne. The union, however, was loveless and failed to produce a line of half-Scottish kings of France. Another daughter, Isabella, wed Francis, Duke of Brittany, in 1442. And a third daughter – Eleanor – married Sigismund, Archduke of Austria, in 1449. These alliances gave the Stewarts access to the courts of continental Europe and boosted their international standing.

All three daughters inherited their father's love of literature – he wrote the epic poem *The Kingis Quair* (*The King's Book*), which tells of his captivity in England and his growing love for the woman who became his wife.

But Scotland was poor and unused to James's lavish style of kingship. To support his policies, the king was forced to use all possible methods of raising funds. He took every chance to collect new lands and revenues, and extracted maximum income from the customs and rents paid by his subjects.

He even sought loans from merchants and burgesses in personal interviews which must have been unpleasant for the potential lender. Not surprisingly, James's methods created hostility. Many had disliked paying the ransom, but many more were unhappy that the money had gone into the king's pocket –

to be spent on his palace and cannon.

When James asked parliament to levy a tax in 1431, the assembly agreed only on condition that the money be kept in a locked box, to be opened if the funds were spent in accordance with their instructions.

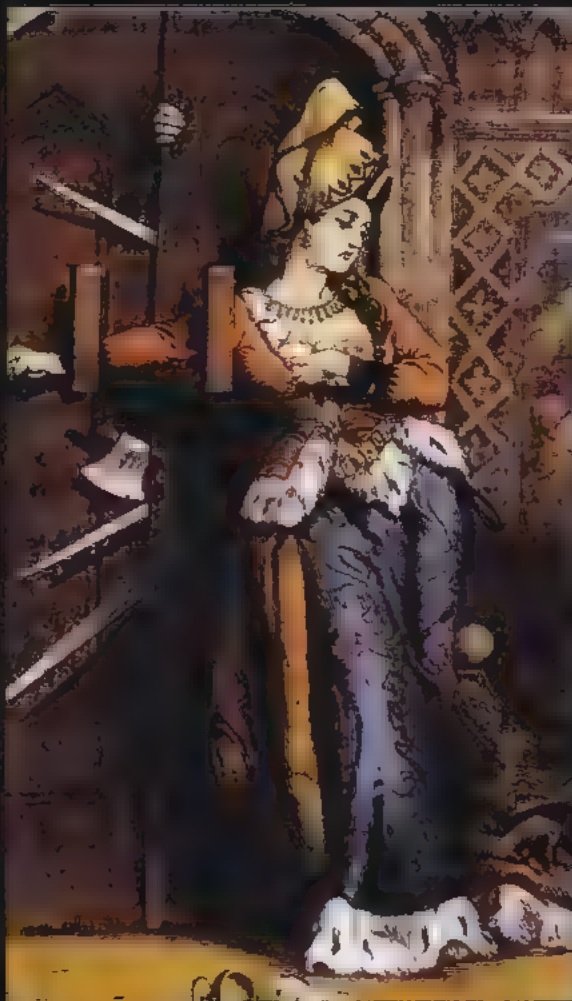
Throughout the reign, meetings of parliament were the scenes of major arguments between the king and his leading subjects. In parliament James could be treated with less respect than at other times.

His authority was also limited in the Gaelic areas of the Highlands and Islands. In the Western Isles and much of the north, the word of the MacDonald, Lord of the Isles, counted for more than that of the king.

During James's captivity, the government and its allies in the north had sought to check the Lord of the Isles' power.

Overall, though, their efforts achieved little. Alexander of the Isles felt safe enough to ignore royal calls for his obedience. But in doing so, he underestimated the king.

In 1428 James went north and personally arrested Alexander at Inverness. When Alexander rebelled the following year, the king collected an army and scattered his enemy's force in Lochaber. However, though James could win battles, he could not win a



**Katherine Douglas delays the king's attackers by putting an arm through a door bar. But it was in vain.**

## TIMELINE

**1406**

The English capture the young James Stewart, the heir to throne, and hold him captive for 18 years. Robert, Duke of Albany, becomes Governor of Scotland.

**1411**

Donald, Lord of the Isles, sacks Inverness before his challenge to Albany's power ends at the battle of Harlaw.

**1420**

Albany dies and is succeeded by his son Murdoch as Governor of Scotland.

**1424**

James I returns to Scotland and becomes King of Scots.

**1425**

After a show trial James I has Murdoch, duke of Albany, and his family beheaded.

**1437**

Robert Graham, Albany's servant, assassinates James I at the Dominican Friary in Perth.

war to dismantle the lordship of the Isles.

When his lieutenant, the Earl of Mar, was defeated at Inverlochy in 1431, James agreed to restore Alexander of the Isles. While James lived there was peace in the north, but the king had started a conflict between the crown and Gaelic Scotland that would not be resolved for centuries.

Beneath James's successes lurked continuing tensions and dissent. The king was feared rather than loved. Though a talented poet, athlete and musician, he was not an attractive personality. He struck at his enemies without warning, bullied and victimised his subjects, and reacted violently against those who refused his demands. Even his closest counsellors feared his sudden hostility, and much of his power rested on his reputation for success and ruthlessness.

In the summer of 1436 this reputation dealt a fatal blow. James at last decided to enter the war with England and led an army and his cannon to besiege English-held Roxburgh Castle in the Borders. The attack was a fiasco. James fled first — perhaps fearing a plot against him — and his army followed, leaving the artillery to be captured.

When James tried to raise money to renew the war, other equally ruthless figures began

to move against him. The king's aged uncle Walter, Earl of Atholl, 'a man grown old in evil-doing' — sponsored an attempt to arrest James in parliament and, when that failed, to kill him. His agents were servants of the king's victim, the Duke of Albany, led by Robert Graham.

Graham saw the king as a tyrant because of his treatment of his subjects, and on the night of February 20, 1437, he led a group of armed men into the king's lodgings in the Dominican friary at Perth. There, despite his desperate struggles they stabbed him to death, despite the self-sacrifice of Katherine Douglas, one of the queen's ladies, who thrust an arm through the bar of a door in an attempt to give him time to escape.

The civil war which followed the murder produced the conflicting views of the king.

His killers were rounded up and executed, but James's legacy did not become clear for another two decades.

He had re-established a powerful central government in Scotland.

In his relations with his subjects, his financial demands and the image of monarch at home and in Europe, James I created the model of kingship which would be copied by his successors.



# The French connection

The alliance between Scotland and France didn't always go smoothly, but it held off English domination of both countries and is still celebrated by them today

**O**n July 12, 1503, King James IV of Scotland wrote to his new ally and future father-in-law, Henry VII of England. The English king, reflecting on the grandly-named Treaty of Perpetual Peace concluded between Scotland and England the previous year, had demanded that James IV repudiate the Franco-Scottish alliance.

In his reply, the Scottish king courteously informed Henry VII that, though he had at that time no intention of renewing the Franco-Scottish alliance, nevertheless 'we and our predecessors have always been accustomed to it'.

James was exaggerating, but not by much. At the outset of the 16th century, the 'Auld Alliance' had already endured for more than two centuries, and would last for a further 60 years.

Why should an alliance between Scotland, a small and relatively-impooverished kingdom on the north western fringes of Europe, and France, a major European power, endure for so long?

And why should many modern Scots, and some French, still regard

the 'Auld Alliance' with a mixture of affection and nostalgia?

The first question is more easily answered than the second. From a Scottish standpoint, the Franco-Scottish alliance was born out of dire necessity. The Scottish ruler John Balliol (whose family originated from Bailleul in Picardy) was a vassal king, owing homage and allegiance to Edward I of England.

However, the latter, a predatory ruler who would later earn himself the title 'Hammer of the Scots', made John's life a misery by hearing appeals from Scotland in his own courts, and demanding military service from Scots in his projected war with France in 1294.

In this situation, a Scottish committee of 12 was appointed to put some backbone into Balliol. One of its first measures was to make an offensive and defensive alliance against England with Philip IV of France, concluded in Paris in October, 1295, and ratified by the Scots in February, 1296.

In the event, the fragile and politically divided Scottish kingdom was not to be saved by the French alliance. Philip deserted his Scottish allies within a few years, and the Scots were left to resolve the major problems of finding an acceptable leader and successfully defying England in the ensuing Wars of Independence. The alliance of 1295 might have proved no more fruitful

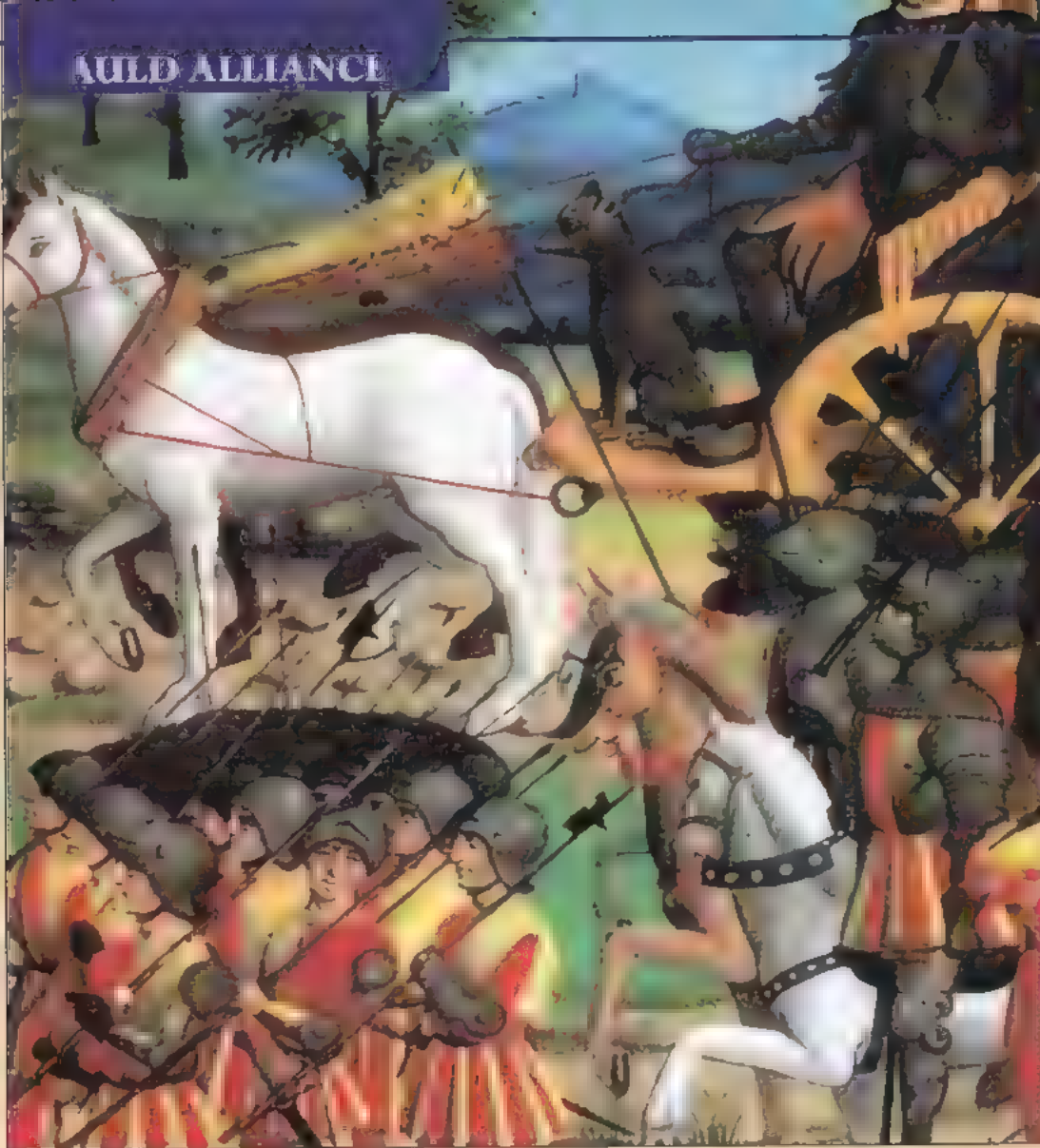
than earlier abortive treaties between Scotland and France, but the Scottish victor in the wars with England, Robert Bruce, renewed the Franco-Scottish alliance in the Treaty of Corbeil (April, 1326). This was simply part of Robert's overall strategy to secure foreign recognition of his status as ruler of an independent kingdom.

But it proved timely, for three years later King Robert was dead, and in 1332, only six years after Corbeil, England's Edward III backed the Balliol cause in Scotland against Bruce's infant son David II and subjected the Scots to a bitter renewal of the Wars of Independence.

The existence of the French alliance in the 1330s proved crucial to the survival of the independent Scottish kingdom, riven as it was politically by royal succession struggles and by the intervention of Edward III, who led armies as far north as Aberdeenshire as late as 1336. In this dangerous situation Philip VI of France provided a safe haven in Normandy for the 10-year-old King David II, and his wife Joan. The young couple spent the years 1334-41 in France, mostly at the great fortress of Chateau Gaillard on the Seine. Arguably, providing asylum for David II went much further on the French side than the 'aid and counsel' which the treaty of Corbeil required them to give the Scots.

Then, in 1337, the international

■ **Friends across the Channel:** King David II and Queen Joan are received by the King Philip VI of France in 1334.



■ An enduring partnership: France's King Louis XII enters Milan in 1499 – escorted by his Scots Guard.

► situation changed dramatically and irreversibly. Edward III determined to press his claim to the French throne of the Valois Philip VI, and initiated the Plantagenet Valois wars which would continue intermittently down to 1453 and come eventually to be known as the Hundred Years' War.

Not only did this English claim and its pursuit save the beleaguered Scottish kingdom by diverting Edward III's martial energies elsewhere; it also conferred permanence on the Franco-Scottish alliance. The Valois kings now urgently needed Scots support, either through diversionary raids into northern England or in the new theatres of war in Normandy, Picardy, and Poitou.

So the alliance was periodically renewed, comfortably surviving a change of dynasty in Scotland, from Bruce to Stewart, in 1371.

Around the beginning of the 15th century, Etienne de Conty, official of Corbeil, portrayed the alliance with Scotland in glowing terms. "In the

Kingdom of Scotland," he remarked, "there are good warriors, brave and loyal to their king. The Scots have always liked the French, and the French, the Scots."

At close quarters, however, this mutual amity is often difficult to discern. In 1385, a small army of French knights in Scotland misunderstood or ignored the customs of their hosts and allies, and sought to sustain themselves by sending their servants out into the Lothians and Fife to forage for provisions. They were waylaid and beaten up, robbed, and some even murdered. And in early 15th-century France, Scots soldiers were contemptuously described by natives of Touraine as 'mutton guzzlers and wine bags', while one leader of a mercenary company, bizarrely styling himself 'we, James Stewart, bastard of Scotland', ran a lucrative protection racket in Tours in 1435.

Yet the alliance not only survived but prospered; and the early 15th century saw a spectacular commitment to the French cause by

the Scots. France's problems were not unlike those which had afflicted the Scottish kingdom in the previous century – a civil war; a predatory English king, Henry V, who not only conquered Normandy but had himself named heir to the intermittently-mad Charles VI of France, and last of all, the Dauphin (later Charles VII),

disowned by his parents and by 1418 desperately seeking allies.

The Scots were the most prominent among those who responded to the call. In 1419, an expeditionary force of 6,000 Scots sailed in a Castilian fleet from Dumbarton to La Rochelle and moved east into central France to join



■ Scottish knights charge the English ranks at the Relief of Orleans in 1429.



■ **United in anger** – the French and Scottish banners fly in alliance against the English at the bloody siege of Wark Castle in England's Border country.

settled in France still described himself as 'a native of Scotland', kept a wary eye on political affairs there, and by a strange quirk of fate died at Corstorphine

After the 'take off' of the alliance in the early 15th century, it became an established part of the diplomatic scene in north-western Europe

Successive Scottish kings adhered to the 'Auld Alliance' and benefited from its obvious material advantages: French money and shipwrights to help build James IV's fleet; two French brides – Madeleine, daughter of Francis I (d 1537) and Mary of Guise Lorraine (1538–1560) – for James V, both of them supplying big dowries, the French Order of St Michael conferred on James IV and James V, and probably on James III as well

In a throwback to 14th century courts, France provided a refuge for another Scottish sovereign, the infant Mary, Queen of Scots, in 1548, and a husband for her, the Dauphin Francis 10 years later. In a symbolic gesture to all Scots residents in France, Louis XII granted them letters of naturalisation in 1513, an act reciprocated in 1558 in favour of French citizens living in Scotland

The death of Mary of Guise in 1560, and the political and diplomatic events of that year, brought the 'Auld Alliance' to an end. But its memory dies hard with many Scots, perhaps because the alliance can be redefined in terms of the arts, architecture, a shared culture and heritage with a long pedigree

In the last analysis, however, it is probably the military function of the 'Auld Alliance' which accounts for its lasting appeal. Cynics have said the Scots were simply used as pawns in a European diplomatic chess game in which they paid with their blood for French whims. Such a view would not be shared by the people of Aubigny-sur-Neve, Beraud Stuart's town in Berry, where the Auld Alliance is still celebrated every year, with the Scottish heroes of the 15th and 16th centuries placed at the centre of a colourful pageant

Idealistic? Perhaps, but in its day, the alliance saved both Scottish and French kingdoms from English domination

In the new Scotland of the 21st century, that should be worth a public holiday at least ●

## The old military alliance can be redefined as a shared cultural heritage with a long pedigree

the Dauphin Charles at Bourges. Further armies followed. Between 1419 and 1424, no fewer than 15,000 Scots – an astonishing number for a small kingdom – crossed to France to fight the English.

Their commitment was justified by a spectacular victory at Bauge in March 1421, in which the French army of Scotland' led by John Stewart, Earl of Buchan and Archibald Douglas, Earl of Wigtown, defeated and killed Henry V's lieutenant in France, Thomas, Duke of Clarence. In the process the English reputation for invincibility was dented and the Dauphin's cause saved. 'Truly,' remarked Pope Martin

V on hearing the news of Bauge, 'the Scots are an antidote to the English.' Rewards were heaped on the victorious Scots by a grateful Charles VII. Buchan became Constable of France, and in 1424 Archibald, fourth Earl of Douglas, was created Duke of Touraine.

Sadly, these successes were not sustained. In a catastrophic defeat at Verneuil in August, 1424, both Buchan and Douglas were killed, together with most of the Scottish field army in France. Yet Scottish survivors who settled in France, mainly in Berry, Poitou and the Touraine, often did well for themselves. Their earlier service to Charles VII was not forgotten, and as the royal Garde Ecosaise, an elite and fiercely loyal bodyguard, they acquired influence at the very heart of French government. Their Scottish origins were not forgotten. The great soldier Beraud Stuart of Aubigny – a royal chamberlain and member of the king's council, captain of the Garde Ecosaise from 1493 to 1508, hero of the Italian Wars, and of the third generation of his family to have

## THE 'CLAN' WHO GOT LOST IN THE SNOW

**A**lthough in essence the Auld Alliance remained a

mutually-accepted response to marauding English armies either in Scotland or in France, it also brought many social and cultural exchanges as well as trade between the two countries.

Scotland liked French claret, French cooks, musicians and architecture. The French in the main appreciated Scottish soldiers.

Around 1445 King Charles V of France formed the famous Garde Ecosaise – an elite, small Scottish fighting force of seasoned warriors that was the mainstay of the French royal household for generations.

The Garde Ecosaise were made up of 100 hand-picked Scots guardsmen and 200 Scots archers. They were the senior royal household corps and ready to die to protect their royal charges.

However, in 1525 after the defeat of Francis I at Pavia in Italy, the Garde Ecosaise were forced to withdraw over the Alps.

Near the Simplon Pass in Switzerland they encountered fierce blizzards and avalanches that barred their way.

Although the Alps were not the hills of home, some of France's royal Scottish soldiers decided to settle there and they became known as the Lost Clan. It is said some of their descendants are still to be found in the area.

# Lords who rose

Norse grip on the Western Isles was weakening when Somerled sailed in to establish a sea-based Gaelic empire of great power that was to last for centuries

When we think of the historic relationship between the Gaels and Scotland, three entities spring to mind. One is Dalriada – modern-day Argyll, which in the 6th to 8th centuries was the original heartland of Gaelic settlement in what is now Scotland. Dalriada grew into Alba, the name the Gaels gave to the kingdom they recreated north of the Forth-Clyde line in the 9th century, and which expanded south up to 1100 to form the template of the Medieval Scottish kingdom and the modern Scottish nation. Alba remains the Gaelic name for Scotland to this day. The third is the Lordship of the Isles.

The Lordship's heyday was in the 14th and 15th centuries when it was dominated by Clann Domhnaill, the Clan Donald. Under the leadership of four successive MacDonald lords, the Lordship became the most powerful and dynamic province of Scotland. But its roots lay much deeper in the Scottish past and cannot be separated from Dalriada and Alba.

Indeed, the many bridges between them mean that, in the words of one historian, the Lordship is 'a mirror in which is reflected the system of society once common to all Scotland'.

Later Gaelic tradition had no doubts that the creation of the Lordship was largely down to one man, the famous Somerled of

Somhairle, who died in 1164. But tradition is a poor guide to history. Somerled's mission, hellbent on recovering what he believed was his inheritance, may have been settled in the Western Isles from as early as the 7th century, and through others he may indeed have possessed an ancestral claim to a little empire in the west.

The boundaries of this empire were originally carved out, not by the Gaels, but by the Vikings or Scandinavians, who were settling in numbers on Scotland's western seaboard from 800AD onwards. Their arrival was one factor which prompted the Gaels to shift their power-centre to eastern Scotland. This left a vacuum in the west, which resulted in the birth of a new sea kingdom stretching from the Isle of Man to the Isle of Lewis.

The character of this island lordship was at first more Norse than Gaelic. In 989AD we find one of its Norse rulers described in a Gaelic source as *Rí Innse Gall*, 'the king of the Hebrides'. *Innse Gall* – literally 'the isles of the foreigners' – gives a Gaelic mainland perspective on Norse domination of the Western Isles in this period. Indeed, the kings of Norway claimed overlordship of the Western Isles until 1266.

But the title *Rí Innse Gall* is also important because it is almost certainly the Gaelic term which was later translated into Latin as

# from the sea

**Dominus Insularum.** The Lord of the Isles. This Latin title was used with reference to MacDonald Lords of the Isles from as early as 1336 – more evidence of how far back the Lordship's origins lie.

Later Gaelic tradition presents Somerled's campaigns as an ethnic war waged by the Gaels against Norse. If correct, the fact, the Norse grip on the west was clearly weakening before Somerled's time.

Fundamental to this was a steady process of Gaelicisation or re-Gaelicisation of the western seaboard, which may have been boosted by Somerled's military success but did not depend upon it.

One obvious pointer to Gaelicisation is that some clans which came into being in the west in this era – such as the MacLeods of Lewis and of Harris, the MacAulays of Lewis, the MacPhails and the Nicholsons – were of Scandinavian origin.

Using Morvern on the mainland as a launchpad, Somerled waged war in the Isles. By his death in 1164 he was styled Rí Innse Gall or Lord of the Isles, and had established control over Argyll, Kintyre and the Hebrides. From Somerled's immediate descendants were born three new clans – the MacDougalls, MacRuairies and MacDonalds.

Somerled had an ally called Airheartach whose descendants gave rise to four new clans – the MacKinnons of Mull (later Skye), the MacQuarries of Ulva (off Mull), the

MacMillans of Knapdale, and Clann Gill Adamnain (no longer extant, but from whom the Ross-shire MacLennans descend). Where before there had been only the clans of Somerled and Airbeartach, now there were seven, all possessing extensive territories – dramatic proof of the speed and scale of Somerled's achievement.

For 150 years after Somerled's death, the chiefs of the MacDougalls, MacRuairies and MacDonalds competed for his title of Lord of the Isles. At first the successful claimant held his mainland territories from the king of Scots, and his island territories from the king of Norway. But the Treaty of Perth in 1266 brought the curtain down on 500 years of Scandinavian influence in the west, and restored sovereignty over all the western islands to Scotland.

Somerled's successors now became more involved in mainstream Scottish politics, and this proved crucial to the triumph of the MacDonalds in establishing a stranglehold over the Lordship of the Isles. During the civil war fought alongside the Wars of Independence, the MacDonalds backed Bruce, and indeed their chief, Aonghus Og, was one of King Robert's key lieutenants at Bannockburn. The MacDougalls of Argyll stayed loyal to King John Balliol, and Bruce's victory left them permanently weakened. The MacRuairies also supported Bruce, but their ruling lineage died out in 1346. Since Og's son Eoin (John) was already



■ Armour, arrow-skewered animals and a fighting ship – the colourful crest of the Lords of the Isles.

► married to the MacRuairi heiress, all their territories now became MacDonald possessions

Eoin was Lord of the Isles from at least 1336 until his death in 1387, and inaugurated the Lordship's 'Golden Age' of political power, religious renewal and cultural achievement. The Lordship was part of a 'Gaelic Renaissance' also evident in Ireland, which was now shaking off the shackles of English overlordship. The ties between the Lordship and Gaelic Ireland were very close, and a branch of the Clan Donald became established as lords of the Glens of Antrim around 1400

The MacDonald Lords now held all the western isles from Islay to Lewis, and vast swathes of the mainland Highlands – Kintyre, Knapdale, Morvern, Ardnamurchan, Glen Coe,

Lochalsh, Moidart, Knoydart, Arisaig, Morar and Lochalsh. Branches of the Clan Donald came into being in most of these areas, whose other clans all acknowledged the Lords' authority. So did the major clans of Argyll, such as the MacDougalls, Lamonts and Campbells. The allegiance of so many kindreds, as well as their ability to call upon Scottish Gaels settled in Ireland as mercenary soldiers, meant the Lords could muster armies as large as 10,000 if required.

On several occasions the Lordship took on royal armies, and sometimes beat them – as at Inverlochy in 1431 when Alexander of the Isles scattered the forces of the Earl of Mar.

The ruling family of the Clan Donald, from which the Lords of the Isles were drawn, was



■ Former stronghold of Lords of the Isles, Dunyvaig Castle on Islay.

based at Finlaggan in Islay. It was here that a new Lord of the Isles was usually inaugurated standing on a stone with a footprint carved on it, 'denoting that he should walk in the footsteps and uprightness of his predecessors'.

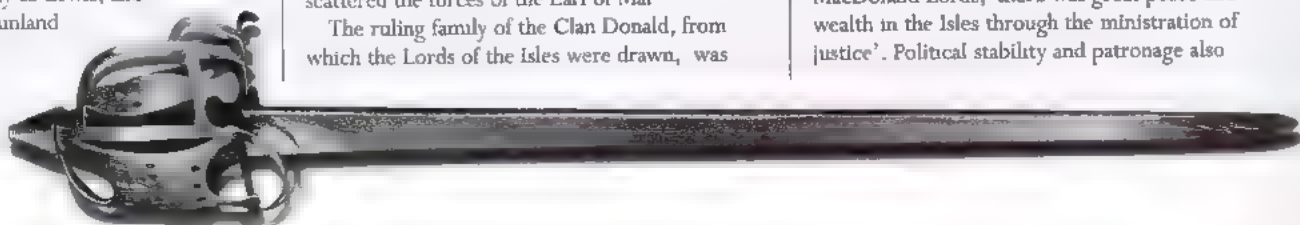
The epicentre of the government of the Lordship was Eilean na Comhairle (Council Isle) in Loch Finlaggan, the permanent home of the Council of the Isles. It advised the Lord of the Isles in governing the Lordship, including matters such as external affairs, finance and the church. Its members were the chiefs of branches of the Clan Donald, and of clans subordinate to the MacDonalds.

If the heart of the Lordship was in Islay, its soul lay in Iona. But Iona's role was political as well as spiritual, for the fact that its abbey and nunnery owned lands and churches throughout the Lordship made it a powerful cohesive force.

Another unifying function Iona performed was burial. Down to 1500 the Lords of the Isles and the chiefs of their vassal kindreds were usually buried here, and an unmistakable sign of the unravelling of the Lordship after that date was the decision of these vassal chiefs to begin to be buried within their own territories.

The Council of the Isles was also the apex of the Lordship's legal system. It acted as the supreme court of appeal to which legal disputes could be referred. Most of these disputes were dealt with at a local level by 'bri-theamhain' or Gaelic lawmen, who were widely dispersed throughout the Lordship. We know that the Council could also meet in localities other than Islay as circumstances dictated, and the MacDonald Lords may have sought to achieve a balance between central and local administration which suited the far-flung character of their territories.

That balance seems to have been effective. In 1549 it was said that in the time of the MacDonald Lords, 'there was great peace and wealth in the Isles through the ministrations of justice'. Political stability and patronage also





underpinned the cultural and religious achievements of the Lordship

The relationship between the Lordship of the Isles and the late-Medieval kingdom of Scotland was a complex one. The cohesiveness and 'Gaelic identity' of the Lordship, coupled with the territorial and military power of the Lords and their habit of negotiating directly with the kings of England on occasion, have fuelled the view that their Scottish loyalties were suspect and that they sought an independent state in the west

In fact, it was impossible for the Lords, or those they governed, to contemplate abandoning the entity Scotland or Alba – which in their view the Gaels, their own ancestors, had created. But the Lords certainly desired a measure of independence from the centre.

It is even possible that, building on their marriage links with the royal Stewart line, their strategy at times was to try to take over the centre, through having a MacDonald king of Scots. But whatever the tensions in the relationship, here their destiny lay

The increasingly centralising tendencies of Stewart kingship worsened these tensions, and ultimately James IV tried to resolve them by dismantling the Lordship of the Isles. In this he was helped by the fact that in pursuing their claims to the earldom of Ross during the 15th century, the Lords had neglected their heartlands, allowing the Campbells in particular to establish their own power base in Argyll. He also struck after serious divisions developed between Eoin, Lord of the Isles, and his son, a second Aonghas Óg, who was assassinated by his Irish harpist at Inverness in 1490

In about 1493 all Eoin's possessions were forfeited to the crown. Yet, although James IV backed this up with a series of military campaigns in the west, it took 50 years for the Lordship to die, again underlining its potency in life. The focus of attempts to keep it alive was Domhnall Dubh, son of Aonghas Óg, on whose behalf the Lordship clans rose no fewer than



■ A 19th-century painting which shows Alexander of the Isles – who defeated a royal army at Inverlochy in 1431 – with his claymore at the ready.

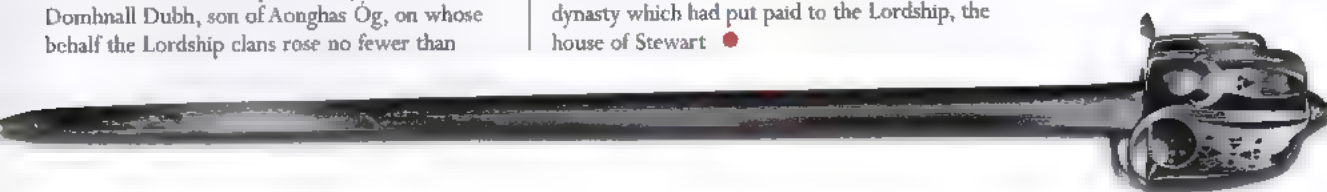
seven times – until Domhnall Dubh's own death in Ireland in 1545. That year was the end of the road, and even before then a power vacuum in the west was becoming apparent

Neither the government nor any other clan proved capable of filling the breach, and so the fall of the Lordship ushered in a dark era known as 'lunn nan creach' – the age of the forays.

But the unity of political purpose so evident in the life and death of the Lordship of the Isles was to resurface in the Jacobite era, when many of the former Lordship clans rose on behalf of what they considered to be legitimate political authority – ironically, in the form of the very dynasty which had put paid to the Lordship, the house of Stewart ●



■ Port Ellen village on Islay, the heart of the island lordship, while its soul was in Iona.



# A fight with no winners

## The bloody battle marked the divide between Lowlanders and Highlanders

Famed in ballad, the Battle of Harlaw was the first great conflict between 'Lowland' and 'Highland' Scotland. The battle itself was over the ownership of the Earldom of Ross, claimed for the Highlands by Donald, second Lord of the Isles. Opposing him was the Lowland Stewart dynasty under the Duke of Albany.

Armed conflict was the only option as King James I, who might have been able to arbitrate, was being held captive in England.

Donald, who regarded himself as an independent ruler, had English help. He was probably also supported by the captive Scottish king, who was increasingly dismayed at the waywardness of his Stewart relatives.

Although Donald's real purpose was to secure the eastern lands of the Earldom of Ross, he seems to have planned to pillage Aberdeen and the surrounding area as a means of weakening the Stewart earls. The power and prestige of the Lords of the Isles at that time was shown by the size of Donald's army at Harlaw – perhaps as many as 10,000 men.

Defending Aberdeen on the Lowland side was Alexander Stewart, Earl of Mar, one of the more colourful figures in Medieval Scottish History.

The young Mar demonstrated a reckless

savagery reminiscent of his father, the infamous Wolf of Badenoch. In his more mature years, however, he mellowed to reveal a more capable and subtly ruthless character.

Around Christmas 1410, Mar entertained a large gathering of powerful north-eastern lairds and clergymen where preparations were probably made to defend Aberdeen against Donald.

As the Highland army advanced towards Aberdeen in spring 1411, the North-East took arms. Aberdeen itself, however, remained woefully unprepared. Out of a population of more than 3,000, only 36 citizens were called-up to defend the town.

After torching Inverness, Donald took the most direct route to Aberdeen, along the King's Highway, leaving Mar only three or four days to co-ordinate his forces.

On the eve of the battle, Mar marshalled his several thousand troops around the Bass of Inverurie, about a mile south of Harlaw. Meanwhile, Donald arrived at Harlaw and camped on the elevated plateau to the north of the town.

At dawn, Mar's company broke camp and crossed the river Urie by the wooden bridge that had stood there since 1235. Lowland tradition makes the unlikely claim that the Highlanders were then surprised as they slept in their plaids and skins. It is possible that many of Donald's men were absent, foraging and looting the countryside.

A more reasonable assumption is that the Highlanders were mainly ready, springing into action 'like angry bees disturbed in their byke', when the alarm was raised.

The heads of both armies clashed near the summit of the ridge on which the present Harlaw Monument stands. The clans' charge forced the Stewarts' men to give ground. But in return, Mar's own division hurried forward, and with great effort held the line.

The fighting was 'hot and fierce' and the clans suffered terrible casualties. The Lowlanders may also have sustained unnecessarily heavy losses if Mar did indeed recklessly hurl fresh troops into the breach, as a later commentator believed.

During the battle individual bravery seems to have been more important than military strategy. The forces were equally matched and morale must have been high on both sides to sustain what was a long and ferocious conflict.

When the sun rose on the bodies of the dead the situation was stalemate. The Lowlanders had held their ground, but the Highlanders were undefeated. Among the most notable losses were Lowlander Sir Alexander Irvine and Highlander Red Hector Maclean – who are believed to have



■ The monument marking the battle of Harlaw.

fought an epic duel by the end of which both lay dead.

It is said that, many years later, the successors of Irvine and Red Hector exchanged swords to mark an end of hostilities between them.

A key aspect of the Battle of Harlaw is that it marks the clear emergence of a cultural divide between Lowlander and Highlander.

Although Donald and Mar were related and Gaelic was spoken on both sides, it was the Lowlanders who were rewarded by the Scottish government for their efforts.

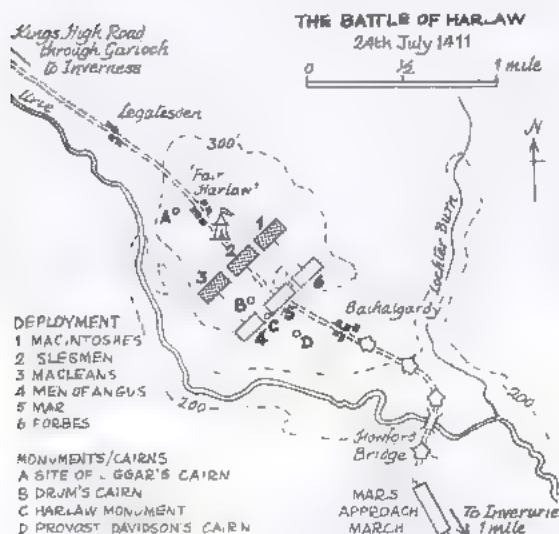
A Gaelic battle song, celebrating the bravery of the clans, says the Lowlanders were 'quite defeated' and chased all the way to Aberdeen.

The Lowland version of events portrays Harlaw as a racial war in which a mob of 'barbarous' Highlanders is driven back from the gates of Aberdeen by a 'civilised' Lowland army.

It is doubtful whether the Lowlanders were in fact any more 'civilised' than their Highland neighbours, and we have seen that they were certainly no less barbarous.

Today, the battlefield is easily reached by road from Inverurie, and is marked by the impressive but controversial Harlaw Monument. Unveiled in 1914, its dedication ignores those who died on the Highland side.

At Harlaw, Scotland's two cultural halves were too evenly matched for one to prevail against the other. But the battle also markedly increased tension between Lowlander and Highlander, profoundly affecting relations in later years. ●



# I curse them waking and I curse them sleeping...

**The Border Reivers are seen as romantic folk heroes. Yet for more than 300 years they terrorised the 'debatable lands' between Scotland and England**

**T**he Archbishop of Glasgow was obviously fed up with the anarchy afflicting the 'debatable lands' between Scotland and England when he uttered one of the most comprehensive curses of all time:

*I curse them sitting and I curse them standing,  
I curse them eating and I curse them drinking  
I curse them waking and I curse them sleeping*

For more than three centuries the Borders area was a magnet for strife, lawlessness and freebootery. The period gave two new words to the English language. To be 'bereaved' meant to have had a loved one killed by a reiver. 'Blackmail' was protection money – the official rent payable to a landowner being known as greenmail.

But the reivers and their exploits also gave us some of the most poignant ballads ever written.

The violence was born during the Wars of Independence when revenge raids erupted into full scale invasions. Wallace led a raid into Northumberland after winning the Battle of Stirling Bridge, and Bruce's followers harried the English north frequently, raiding as far south as Yorkshire and once even burning Carlisle.

By the time James VI had united the crowns of Scotland and England in 1603, the raiding had become less political or patriotic and more sheer banditry. Occasionally truces were arranged

between the sides. But truces were like borders... there to be broken.

One of these, agreed in 1369, was supposed to last for 14 years, yet in 1377 a Scottish force under the young Earl of March attacked an English garrison at Roxburgh and set the town ablaze – putting the population to the sword. The excuse for this raid was the murder of one of the earl's retainers. And, of course, the English under the powerful Percy family retaliated with what became known as the Warden's Raid on the town of Duns and the recapture of Berwick Castle.

This was the signal for another truce, although, theoretically the last one hadn't even expired. So John of Gaunt, uncle of England's King Richard II, came north to arrange a sort of overlapping pact to last until 1384. But on the Scottish side, this was regarded with impatience.

The truce had hardly expired when a Scottish force under the second Earl of Douglas, aided by French soldiers, launched a major campaign to recapture English-held strongholds at Lochmaben, Annandale and Teviotdale.

The English retaliated with raids northwards to sack Edinburgh, Perth and Dundee. The Scots hit back to attack Cockermouth. But this was not enough to avenge the English depredations.

And so it was that one summer's day in 1388, many thousands of Scots raiders crossed the

Border in two separate forces – the smaller one led by Douglas, eventually defeating the English Percys at Otterburn.

All this raiding and counter-raiding meant it was inevitable that some of the major Borders families made 'reiving' their life's work – when they weren't battling with each other. After all, it had the exploits of Kings and Guardians to give it legitimacy.

Even small scale predatory raids produced wealth in the form of stolen cattle to maintain these families and their followers in some style.

A French chronicler observed the typical Border reivers – sometimes called moss troopers – and described how they went about their work.

While their leaders, the knights, were stylishly mounted on war horses, the reivers themselves were on shaggy coated ponies, famous for their endurance. They could trot for 20 miles without halting, and survive on rough grazing.

The reivers would also travel light, carrying a bag of meal and a metal griddle to make themselves oatcakes. Otherwise they would live off the land, their meat coming from stolen cattle.

The trick, evidently, was to move in quickly, snatch the booty, and move out.

One of the leading reiving groups was the Armstrong family, who fully exploited the 'debatable lands'. Their local power was awesome and even alarmed the Stewart kings. It took treacherous cunning to bring them to book.

The first to fall was Johnie Armstrong, whose main stronghold was Gilnockie Tower near Langholm. In 1529, King James V invited him to a meeting at Caerlanrig Chapel, Teviotdale. It was a trap. Johnie and his 36 men were captured by a larger host and summarily hanged.

He was followed by William Armstrong 'Kinmont Willie' who could whistle up more than 1,000 troopers to raid across the Border. His success as a cattle and sheep rustler was outstanding.

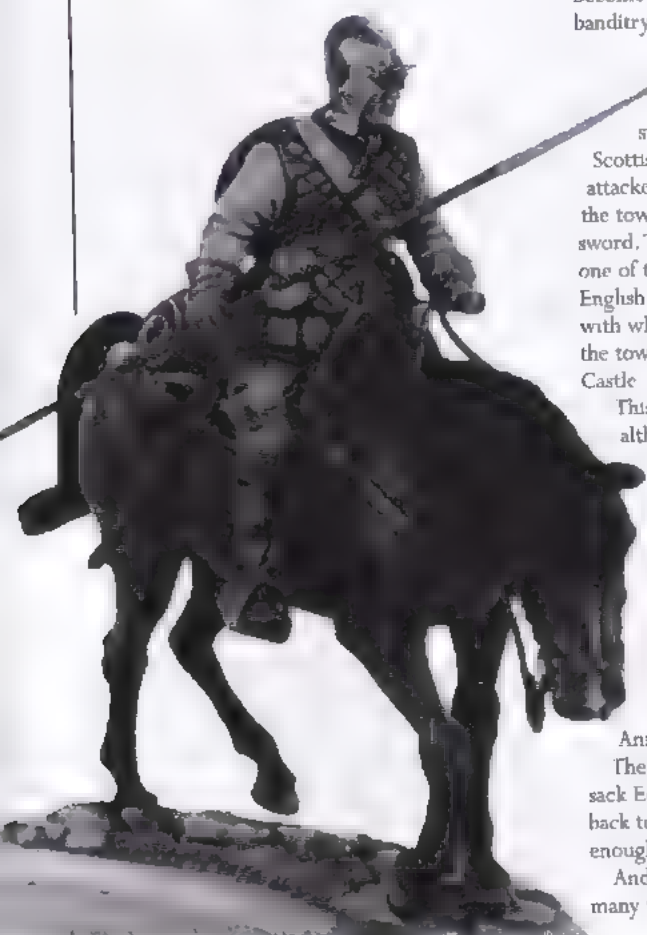
His first recorded raid was in 1583 – when he was in his 40s. His band returned with '800 stolen cattle, £200 worth of goods and 30 prisoners'.

Ten years later he led 1,000 reivers across the Border and came back with '2,000 cattle and £400 of goods'.

He also joined in a raid northwards to Stirling, where Scotland's new king, James VI, was in residence. It was too much. The king decided Armstrong had to be curbed.

It took another subterfuge. In 1597 a day of truce was deliberately broken, and Willie was captured. He was imprisoned in Carlisle but was freed by an outraged Scottish force who thought that sort of thing just wasn't fair.

Not long afterwards James VI of Scotland became James I of England. The Border wars were left to the ballad-writers. ●



# Tunes of glory

**Just like Wild West outlaws but their music was heroic and tragic**

**T**he Border Ballads, more than almost any others in the ballad tradition, are steeped in the area's landscape and in the identity of the people. In these narrative songs, the deeds, loves and crimes of characters connected to some of the most famous Border families have come down to us.

There are ballads celebrating many of the dominant clans such as the Armstrongs, Eliots and Johnstons. The ballads are gloriously partisan in their presentation of their characters.

These Scottish equivalents of Wild West outlaws are presented as daring heroes, and the lawmen who try to – and sometimes do – catch and punish them are the villains of the piece.

The tales held within the ballads caught the imaginations of men such as James Hogg and Sir Walter Scott, who had many ballads and songs

collected for his *Minstrelsy of the Scottish Border*, and they still evoke the breathlessness of daring rides, the simmering anger of bloody feuds and the pain of loss of loved ones.

Although many ballads were not written down until the 18th and 19th centuries, it is certain that they were sung, in one form or another, for centuries before.

In the late 1500s John Leslie, Bishop of Ross, in his *Historie of Scotland*, noted that the Borderers 'delyt meikle in thair awin musick' which told of both the acts of their ancestors and their own exploits.

In the late 1700s, the minister of Wamphray parish noted that 'songs are still sung descriptive of the

barbarous deeds and bloody feuds of some former age'.

His counterpart in Castletown remarked that the reivers' exploits 'have been recorded in the poetry of the times, which are still sung by the aged and listened to with eagerness by the young'.

What those young people would have been listening to may have been versions of such action-packed ballads as *Johnnie Armstrong*, *Hughie Graham*, *The Lads o' Wamphray*, and *Hobie Noble*.

There is no one 'correct' version of any traditional ballad, but the core of the story remains despite the fluidity of the words used to tell them.

The story unfolds through the verses, often with a twist.



■ The fearsome reivers created fear and havoc throughout the Borders. This scene is from the *Minstrelsy* exhibition at Smailholm Tower, near Kelso.

# songs of death

in the tale. The reiver ballads contain some of the most dynamic images and language in the history of song.

The verse lines are often insistent, dragging the listener into the story from the outset. The first verse of *Kinmont Willie* demands:

*Have you no heard of the keen  
Lord Scrope?  
Have you no heard of the false  
Sakeld?*

*Jack o' the Side* sets a whole scene in just four evocative lines. *Liddesdale* has ridden to a raid, *I was they hae better had stayed at hame*.

*For Michael o' Whitfield's done  
doon deid  
An' Jack o' the Side is a prisoner  
taen*

The reivers' lack of respect for official law and order comes over strongly in the ballad tales, and the audience is affiliated with these reiver heroes through the simple use of words such as 'we' and 'us', or by the sheer, stubborn bravery of the characters who, often at the point of death, do not call for pity but for revenge.

The ballad of *Hughie Graham*

sees the reiver captured and executed for horse-theft. *Hughie* is unrepentant and resolute to the end. The ballad tells why *Hughie* believes he going to his death.

*Send this word to Maggie my wife,  
It was her that stole the bishop's  
mare  
It was her that played the bishop's  
whore*

And he sends this message to his relatives:

*And you may tell my kith and kin,  
I never did disgrace their blood,  
An if they meet the bishop's cloak  
Tae mak it shorter by the hood!*

The ballad telling of *Johnnie Armstrong's* betrayal and execution by *James V* declares the reiver's death to be unlawful:

*Johnnie murdered was at Carlinrig'  
And all his gallant company,  
But Scotland's heart was ne'er sae wae  
Tae see sae many brave men dee*

It seems churlish to point out that *Johnnie Armstrong* was viewed by the King and his advisers as a national menace, the reiver's power being so great and the extent of his empire being so large. Stretching, it was reckoned, from *Liddesdale* in the West to the bounds of *Newcastle* in the East.

However, the reiver ballads do not all deal in defiant death. *Kinmont Willie*, one of the most famous of them all, recalls the audacious rescue of that reiver from *Carlisle Castle* in 1596 by *Scott of Buccleugh* and a group of riders.

The promise of revenge is still there, but in this case it is the reiver himself who may be able to attain it. For as he is carried in chains out of the castle, *Willie* has time enough to shout to his captor and would be executioner:

*Fareweel, fareweel, my good Lord  
Scrope,  
My good Lord Scrope, fareweel, he  
cried  
I'll pay ye for my lodging mail,  
When we meet next on the  
Borderside*

The ballads do not give the fighting men all the glory. *The Braes o' Yarrow* is one of the most famous tragic-romance ballads from the Borders.

While it still contains strong geographical references, the focus is

on betrayed love. A lady has chosen a young man for her lover.

Disapproved of, he is forced to fight for the right to court the lady. In some versions, his social status is too low for him to be an acceptable suitor.

*She's forsook nine gentleman,  
For a ploughboy lad frae Yarrow.*

In other versions, he quarrels with her brothers. A battle takes place and he fights well against nine men, but is ultimately killed by a sword strike to his back.

*Three he slew, and three they flew,  
And three he wounded sair  
Till her brother John stood up behind,  
And run his body through o'*

The verses which tell of the lady's mourning mix stolid practicality with touching emotion:

*She kissed his cheeks, she kissed  
his chin,  
As oft she's done afore o',  
She kissed the red blood off him ran  
On the dowie dens o' Yarrow  
She washed him in the clear  
well stream  
She dried him with the hollin  
And aye she cried and aye she sighed,  
My love I had him chosen  
Even here, though, is that steely*

resolve. When the lady's father announces,

*I'll wed ye tae a better lad  
Than the one ye lost on Yarrow...  
...her response is emphatic.  
O faither ye hae seven sons,  
Ye may wed them a' the morrow.  
Ye may wed them a', but ye'll  
ne'er wed me*

*For my love lies deid on Yarrow*

*The Braes o' Yarrow* is typical of tragic ballads, but coupled with its gently mournful tune, it is one of the most memorable.

Such lovers remain constant – the bravery of the young man and the sadness of his lady are renewed every time the ballad is sung.

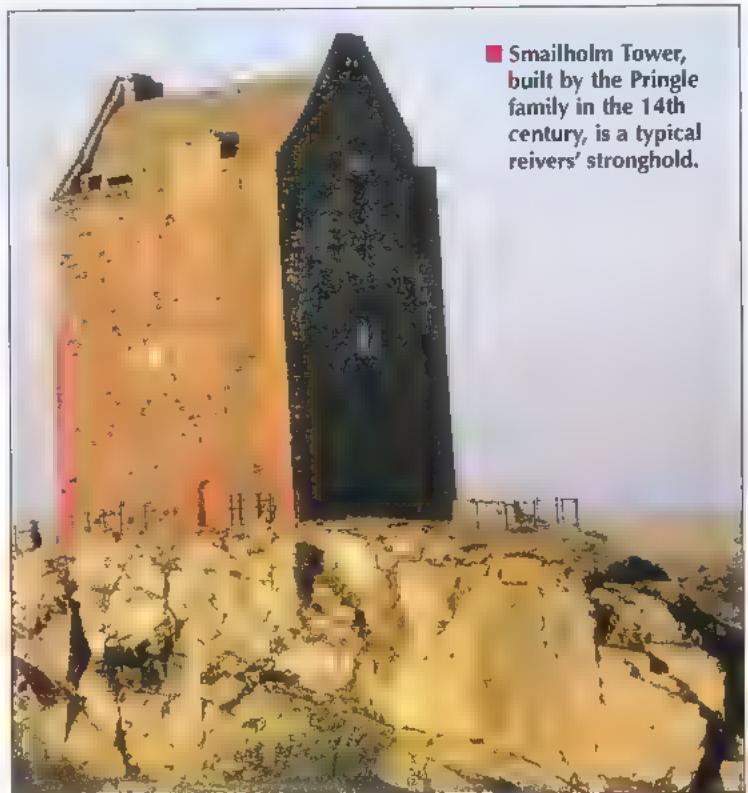
This is the defining aspect of all traditional ballads.

The emotions within them, be they anger, betrayal or love, are powerfully portrayed.

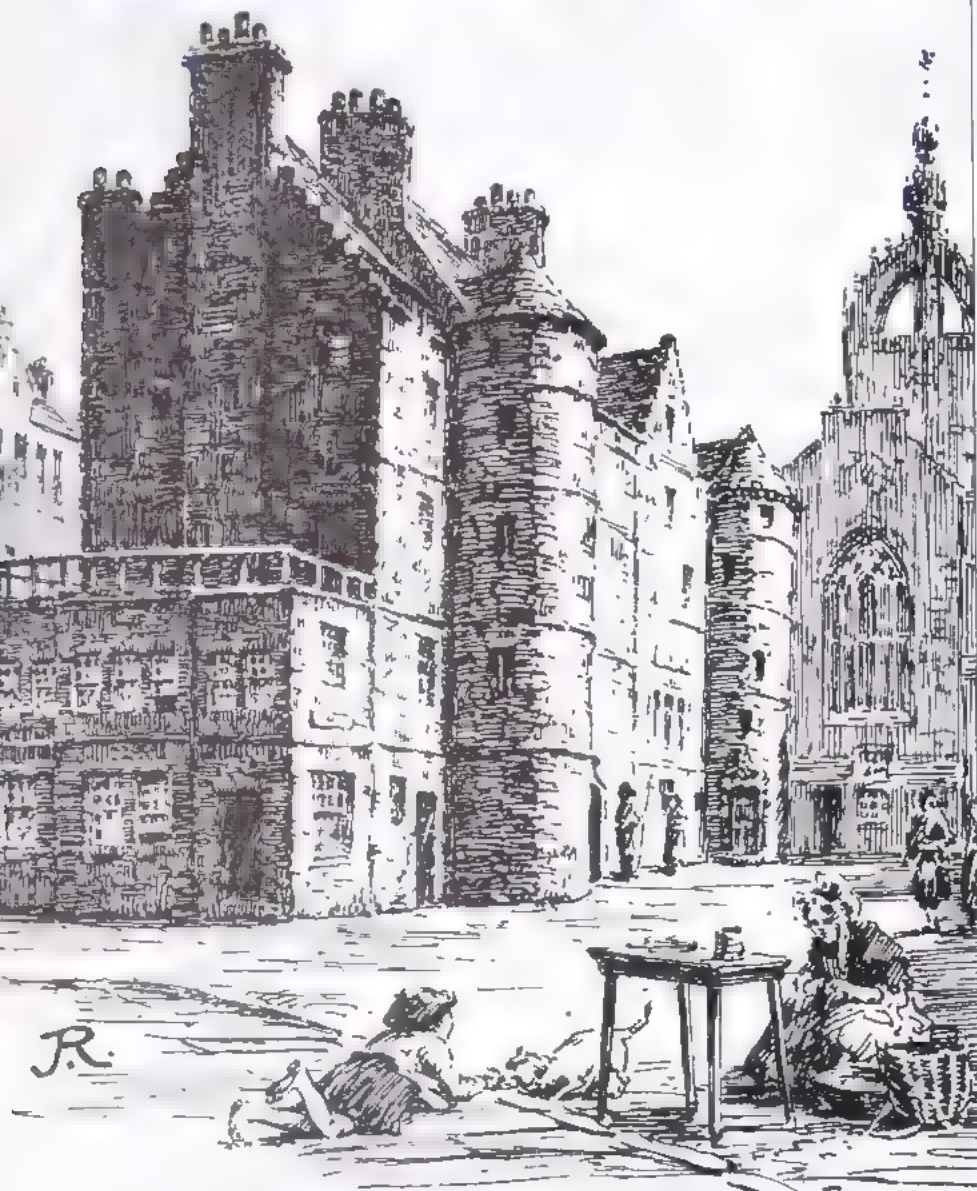
It probably caught the imaginations of those young people of *Castletown*, and it is what still holds an attraction.

The ballads survived because people loved the story and the song.

And, 300 years later, they still do! ♦



■ Smailholm Tower, built by the Pringle family in the 14th century, is a typical reivers' stronghold.



# Talking out the issues of the times

Scotland's early parliament was a moveable – and occasional – feast at which influence was traded in ways that haven't changed

■ Scotland's parliament used to meet at the old Tollbooth in Edinburgh, which until 1817 stood on the High Street at the north-west corner of St. Giles.

From the earliest times, kings of Scots had always summoned the powerful men of the realm to discuss new laws and policies and settle major disputes. These meetings evolved over time and, in the early 13th century, larger meetings of the king's council began to be called 'colloquia'.

The word literally means 'talking together'. It was the normal name for such meetings until the end of that century, when 'parliamentum' was adopted, deriving from a French word again meaning 'talking'. So, quite literally, parliament is a 'talking shop'. As well as that, it was a court of law, the highest court in the land.

## Who made up parliament?

Parliaments consisted of noblemen (the earls and barons) and senior churchmen (bishops and abbots). As the king's vassals, the nobility all owed him service of various sorts, one of which was helping with government.

As well as seeing it as a duty, they would have been well aware of the benefits of attending. It was dangerous to stay away, for your opponents

might use parliament's powers against you.

The churchmen, like the nobility, represented the land which belonged to their abbeys and dioceses. More importantly, perhaps, they attended as men of God, representing the spiritual side of the nation. They also formed the backbone of the civil service. Major government posts were held by clerics, and clerks and lawyers were all churchmen.

So the Scottish parliament at the time of Wallace and Bruce was a House of Lords without a House of Commons. There never was a second house in Scotland. The 'commons' were not excluded, though.

Scotland's trading towns were growing in wealth and, during the 14th century, kings saw in them another source of revenue. Tax required consent, so representatives of the burghs were first summoned for this purpose in 1326.

After 1357 they appeared fairly regularly and, from this time, parliament became known as 'the three estates' – churchmen, nobles and burgesses.

James I tried to change things. After spending his youth as a captive in England, he came home

in 1424 intent on 'improving' government. He wanted to introduce commissioners from the shires, so he could tax them, and a 'speaker' to be the mouthpiece of the 'commons'. Had he succeeded, two houses might have resulted. But he failed.

Only at the very end of this period, in 1587, were commissioners from the shires successfully introduced. The lairds of each county were then allowed to elect two of their number to parliament. More changes came with the Reformation of 1560. The nobility got their hands on the monasteries' lands, so the only churchmen left were the 13 bishops who remained part of parliament in spite of opposition from many in the Kirk. By the time James VI became James I of England, parliament had changed a great deal since the Wars of Independence.

## Where was the Scottish parliament?

Over the centuries, parliament met in many places. Dairsie in Fife, Inchture near Dundee, Clackmannan and Lanark were just some of the more unusual locations. Parliaments normally met



■ **Linlithgow Palace:** Members of Scotland's early parliament gathered here in the great hall of the royal residence.

at Scone or nearby at Perth during the 14th century and, occasionally at Stirling, Edinburgh or Holyrood. The site for the new Parliament has a long pedigree indeed. The Augustinian abbey there hosted a parliament as far back as 1255. In the 15th century, Perth remained prominent with Stirling becoming more popular, but Edinburgh overtook them both to become the favoured location.

The dominance of Edinburgh resulted from government becoming more permanently based there. James III effectively established it as the capital. Wherever the king was, that's where parliament met, so it occasionally sat outside Edinburgh even after this time.

Parliaments met in a different sort of venue. At Holyrood, Cambuskenneth and Scone, they would have been accommodated in one of the larger rooms of a monastery.

At Stirling, Perth and Linlithgow, they sat in the great hall of the royal residence. At Edinburgh, the favoured place was the Tolbooth, where the burgh council normally met. It was a

great economic boost to have parliament on your doorstep and Edinburgh's recent efforts to secure the new parliament are testament to that. So in centuries gone by, the hostellers, retailers and other less respectable professions relished the trade which a sitting of parliament brought.

In the 17th century, this led to commands against raising prices at the time of a parliamentary session.

Until 1817, Edinburgh's Tolbooth stood on the High Street, at the north west corner of St Giles. By the late 16th century it was getting cramped as the number of members grew towards a regular attendance of nearly 100 – but it remained the favoured venue because it was unfortified.

Parliament was occasionally manipulated by factions of the nobility but, if it was open to all, this was less easy. In 1578, one faction staged a parliament in Stirling Castle in an attempt to exclude their enemies. Those on the outside protested that 'thair wes na frie acces nor libertie to the lieges to resort to our soverane lord and thrie estatys'.

This was rejected with the hollow declaration that it was, 'ane frie and publict parliament' and that all that those 'pleasit to cum' could do so 'without stop, trubler or interruption'.

### What did it do?

As a court of law, parliament heard appeals of all sorts from lower courts. Its most important legal role was the forfeiture of traitors. At Cambuskenneth in 1314, in the aftermath of Bannockburn, it stripped of all their Scottish lands those who had opposed Robert I.

Forfeiture was a dramatic event. Once parliament had given sentence, it would be publicly proclaimed from the mercat cross of Edinburgh and a brightly dressed herald would hold up a carefully-painted copy of the guilty party's coat of arms and tear it up, symbolising his loss of status. If parliament were of a mind to, however, it could choose to simply ignore treason.

In 1488, it met immediately after the murder of James III at Sauchieburn. Those now in power had crowned the dead king's son and wanted to get on with things. It mentioned in passing that James IV's father 'happent to be slane' at

Sauchieburn and left it at that. The Scottish parliament was politically powerful, too. It ring-fenced a tax raised by James I in 1432 by ordering that the money should be spent only for the specific purpose for which it was raised.

It was to be kept by the bishop of St Andrews 'in a kist of foure kevis', each to be held by a different person. In 1473, parliament even forbade the king to leave Scotland when he was planning an expedition to the Continent.

Passing new laws was, then as now, parliament's main function and these covered a whole range of things such as agriculture, poor-relief, diplomacy, trade and religion.

In 1318, acts were passed on how cases should be brought to court and 'green' legislation attempted to preserve salmon stocks.

One of the most famous acts, passed in 1424, stated 'that na man play at the fut ball'. In 1496, Scotland's first education act commanded landowners to have their heirs educated so that they had perfect Latin and could play a useful role in government.

Parliament also passed ratifications. Landowners, office holders, burgh councils, universities and craft guilds all sought parliament's endorsement of properties and privileges. By 1603, about half of parliament's business was taken up with this. Ratifications were often sought for things already granted by the king, for getting parliamentary approval gave them even greater strength.

Although a crucial part of the government of Scotland, parliament was only an occasional body. It rarely met more than once in any year and each session lasted only about a week. But in the brief time from the opening ceremony, when the honours of Scotland were placed on the table until they were taken back to Edinburgh Castle, great business was done.

New laws were made and old ones revised, deals were hammered out, lobbyists lobbied and money exchanged. Banquets were given where votes might be won and the king's men mingled with parliamentarians – persuading, cajoling and promising rewards.

Although the trappings have changed a great deal since 1603, many of the processes of politics remain the same. ●



■ **Cambuskenneth:** a venue with a difference.

# King of the high girders

**He was a shepherd's son whose talent left its mark, literally, on the whole of Britain**

**T**homas Telford was one of the greatest engineers Scotland has ever produced – a genius in stone and iron whose legacy of brilliant structures lives on to this day.

He became known as the Colossus of Roads, yet he was far more than just a roadbuilder. He constructed bridges, aqueducts, harbours, jetties and even canals, leaving his mark on the whole of Britain in a way in which few civil engineers have achieved since.

Telford was born in Dumfriesshire in 1757. The son of a local shepherd who died when he was only three months old, he worked his way through parish school at nearby Langholm before becoming an apprentice stonemason.

He was not, however, content with staying in this trade, and educated himself to be an architect, studying from whatever books he could get hold of. He moved to Edinburgh in 1780, helping to work on the construction of the New Town and also publishing poems – another of his talents.

During his time in the capital, Telford helped to build some of the grand new homes which were springing up at the time.

Once again, however, he had greater ambitions. He was spotted by the influential MP William Pulteney, who

gave him the opportunity of developing his career in the south of England.

So Telford worked on the building of Somerset House in London and also on Waterloo Bridge over the Thames, though this was actually designed by another Scotsman, John Rennie. In 1788, he won a position as surveyor of public works for

Shropshire. The River Severn, which runs through the county, afforded him a number of opportunities for building new bridges, and he seized these.

Telford built the famous bridges over the river at Bewdley, Montford and Buildwas – the last of these being constructed not in stone, but in the relatively new cast iron. Slowly but surely, his national reputation was being established. In six years, he built an astonishing 40 road bridges in Shropshire alone.

This period was, however, a stepping stone to even greater things. In 1786, he was appointed engineer to the Ellesmere Canal, linking the Severn to the Mersey.

Telford is noted for the two great



■ Telford: engineer who built bridges to the future.

aqueducts he built to carry the new canal over the Dee and Cerrog valleys in Wales at Pont Cysylltau and Chirk. He developed the technique of using special troughs of cast-iron plates which were fixed in the masonry. This helped to bring him to national attention. The canal itself has long gone, but Telford's role in it is still well remembered.

After this, he moved back to his native Scotland for an equally arduous challenge – opening up the Highlands.

During the next 18 years, Telford carried out a huge programme of infrastructure reconstruction and renewal in the Highlands. He built 920 miles of new roads, and also renewed a further 280 miles of existing ones. He

■ Telford's Dean Bridge is still a vital link in Edinburgh today.



also built more than 1,000 bridges and – as if all this were not enough – still found the time to build an additional 184 miles of roads in the Lowlands

His greatest project of all, however, was the building of the Caledonian Canal through the Great Glen, linking Inverness with Fort William. The canal, which effectively cuts the Highlands in two and is still in use to this day, was built to save ships from making the long journey around the North of Scotland.

Building such a huge canal through such terrain was always going to be a difficult task. The natural barriers were immense, but Telford was determined. The Caledonian was the largest canal of its time – it was 100 feet wide and 20 feet deep – and he did eventually manage to complete it.

Unfortunately, the work took so long that by the time it was finished in 1822, it wasn't really needed any longer. Nevertheless, the project remains one of Telford's most enduring legacies.

In 1826, he built the structure for which he is arguably best remembered – the huge, towering and beautiful Menai Straits suspension bridge linking the island of Anglesey to the Welsh mainland.

The bridge was a massive 576 feet long – the longest of its time – and was matched only by the nearby bridge he built at Conway.

He also built the harbour at Holyhead on Anglesey and improved the ancient Roman road from London to Holyhead – the present A5 – to allow it to take 19th century traffic.

Telford also remained active in Scotland, helping to build the Glasgow to Carlisle road, surveying the road from Glasgow to Portpatrick, constructing the 100-ft-high Dean Bridge in Edinburgh, and building the Broomielaw Bridge over the Clyde in Glasgow.

Towards the end of his life, Telford's work was beginning to go out of fashion. It was not his fault, but rather due to the fact that the two modes of transport he had committed himself to – roads and canals – were being replaced by the railways and by a new generation of rail engineers such as Brunel.

Yet his contribution to opening up Britain and making it an easier place to travel in was massive, and was marked by the fact that he was buried in Westminster Abbey on his death in 1834.

Telford's legacy, however, resides not in this great English cathedral, but all around us in the magnificent roads and structures he built.

And which to this day stand – and often still function – as a testament to his genius ●

## Scot who kept Darwin right

SIR Charles Lyell, who was born in Angus in 1797 and lived until 1875, was one of Europe's foremost geologists.

Though he studied law in London, his great love was science and he soon turned to geology.

His work *Principles of Geology*, published in the 1830s, was hugely influential at the time and the evolutionist Charles Darwin took it with him when he made his historic voyage on the *Beagle*.

Lyell took a ground-breaking approach to geology – he assumed that processes of changes occurred at a constant rate, and rejected the theory that the history of the planet was dominated by a series of catastrophic events, preferring a

theory known as gradualism. Not every one of Lyell's theories was popular or accurate – he suggested, for instance, that life on earth could be cyclical, and that mankind could once again eventually give way to reptiles.

Nevertheless, his contribution to science was hugely important, and he travelled all over the world, studying places such as Niagara Falls, the Mississippi and Sicily.

Lyell was knighted in 1848, created a baronet in 1864, and appointed President of the British Association. He eventually went blind, and, when he died, joined the ranks of famous scientists buried at Westminster Abbey.

## Drop-out who gave his name to a university

FEW Scots inventors are famous enough to have universities named after them, but one who has been immortalised in this way is the 17th-century philosopher and mathematician, John Napier.

This brilliant man, whose name has been given to Napier University in Edinburgh, is considered to have been the founding father of the modern computer. He also helped to develop the predecessor to the modern tank.

John Napier was born in either Edinburgh or

their later theories. He also published a work on new ways of performing multiplication, which became known as Napier's Bones, and used metal plates to aid mathematics – the earliest known attempt at a mechanical means of calculation, giving him a place in history as arguably the first person to develop a simple computer.

But Napier was as much an engineer as he was a mathematician. He came up with the idea of a chariot whose occupants could fire shots through



■ John Napier was a brilliant mathematician who failed to graduate. Now a university bears his name.

Balfour in 1550 and went to college in St Andrews at the age of 13. He failed to graduate, and is then thought to have spent about 10 years travelling around Europe – perhaps deliberately so, given that Scotland at the time was a highly turbulent place in the aftermath of the Reformation and with the reign of Mary, Queen of Scots.

During this time, he became the Laird of Merchiston and, around 1590, began to devise a new series of natural mathematical logarithms which were the first to be published.

This work helped immensely in the development of disciplines such as astronomy and physics, and also helped scientists such as Newton to formulate

the holes in its sides – a forerunner of the tank – and also worked on a primitive submarine. His original thinking even produced an artillery piece capable of engaging an entire field of soldiers.

Napier, who in addition to his other interests is thought to have been a magician, was also deeply interested in religion, and published his own study of the Bible's Book of Revelation. He was convinced that it contained mathematical symbols which, given time, could be successfully unravelled.

John Napier died in 1617, and his castle at Merchiston is now incorporated, fittingly enough, into the university which bears his name.

# Not guilty... but they wanted him to hang

**A famous author and a top detective had to put their necks on the line to save Oscar Slater**

**I**t was a dramatic, Edwardian real-life crime that Sherlock Holmes would have relished: the brutal murder by gaslight of an old, wealthy spinster; an innocent man framed by police and ordered to the gallows; a brilliant detective's heroic fight for justice that cost him his career.

And it was only pressure by Holmes's creator, Sir Arthur Conan Doyle, and the great criminal writer Edgar Wallace, which finally put an end to Scotland's most gross miscarriage of justice.

Oscar Slater, a German Jew who lived in Glasgow, spent 19 agonising years in Peterhead Prison for a murder he did not commit. He had been sentenced to hang, but was spared the noose at the last minute.

The controversial case that shamed the Scottish judicial system and Glasgow police was recently described by John Mortimer, QC, as "a manual of injustice". He added: "No one emerges well except the prisoner. It is a cautionary tale which lawyers and judges should never forget."

It all began in a respectable West End first-floor flat at 51 West Princes Street, Glasgow, at 7 pm on December 21, 1908. Miss Marion Gilchrist, 83, lived there with her maid Nellie Lamont – and

£3,000 worth of jewellery hidden around the house. Nellie had gone out for 10 minutes to get an evening paper, and on her return found neighbour Arthur Adams, alarmed by noises, at the locked door.

When they went into the dim, gaslit lobby, a man appeared from a bedroom door and shot like lightning down the stairs. Nellie didn't look surprised so Adams assumed she knew him.

They found Miss Gilchrist in the dining room battered to death, beside a broken chair, with blood all around her and a rug over her head. Adams ran downstairs but there was no sign of the man.

In a spare bedroom a wooden casket had been smashed open with papers strewn around with some jewellery. Nellie said the only thing missing was a diamond crescent brooch.

On Christmas Day, a bicycle dealer told police that a member of his gambling club, Oscar Slater, had tried to sell him a pawn ticket for such a brooch.

The police rushed to Slater's flat at 69 St George's Road – just 400 yards from the murder flat. The nameplate on the door was not his but 'A. Anderson, Dentist', although Slater lived there with his mistress, Janio Antoine. The couple had suddenly left that day by train for Liverpool to catch the Lusitania liner for New York, using the passenger names of Mr and Mrs Sando.

Elementary, my dear Watson, as Sherlock Holmes would have said, they were obviously fleeing from justice. Except that when the police checked, they found to their disappointment that Slater had pawned the brooch a month before the murder. But they simply ignored this setback, and on January 2 Slater was arrested when the Lusitania arrived in New York.

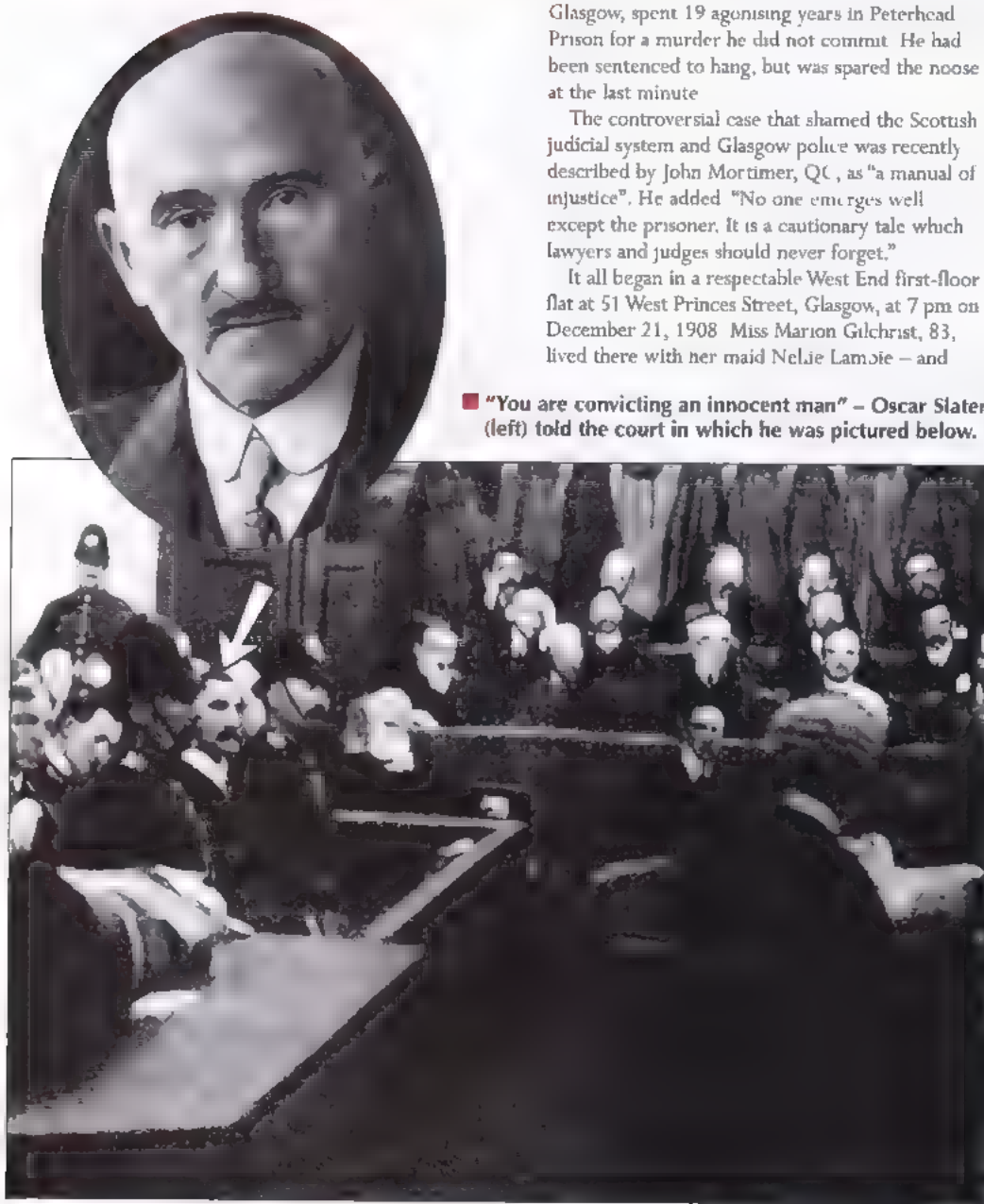
Back in Glasgow his photograph and name appeared in newspapers. With a £200 police reward on offer, it was not surprising that several 'witnesses' came forward to say they had seen him in and around the murder flat.

To extradite Slater, the police needed to take their two main witnesses to New York and persuade Nellie that she would be able to identify Slater, although neighbour Adams said he was not sure because he had not been wearing the brooch.

Nellie knew full well that Slater was the man she saw in that gaslit lobby – and that she even knew the man who was the murderer.

Slater's US lawyer proved the brooch clue was worthless and derided the identification. He urged him to resist the extradition. But Slater said he had never heard of Miss Gilchrist and was going back to Scotland to prove his innocence. So the wandering Jew – who left Germany to avoid army call-up and visited America before settling in Glasgow – placed his trust in the Scottish judicial system.

He sailed up the Clyde on the Columbia on



■ "You are convicting an innocent man" – Oscar Slater (left) told the court in which he was pictured below.



■ Marion Gilchrist: she was battered to death.

February 21, 1909, and, as a sign of things to come, a crew member kicked him as he left. Worst kicks, mostly below the legal belt, were to follow.

The first was another identification parade, when the obvious foreigner was placed among nine policemen and two railmen – all Scots, so witnesses had no trouble in picking him.

At his trial later, when Slater's counsel asked a police witness if it would not have been fairer to put an accused man among similar men, he replied: "It might be the fairest way, but it is not the practice in Glasgow."

His four-day trial began at the High Court in Edinburgh on May 3, with Lord Guthrie, the judge; Lord Advocate Alexander Ure, for the Crown; and A.L. McClure, K.C. for the defence.

It all hung on the crucial question of identification. Nellie, properly schooled, was now quite positive, yet neighbour Adams was still fair with his doubt. Another recognised Slater's profile but said he had the appearance of a 'delicate man' – quite unlike the broad-shouldered accused.

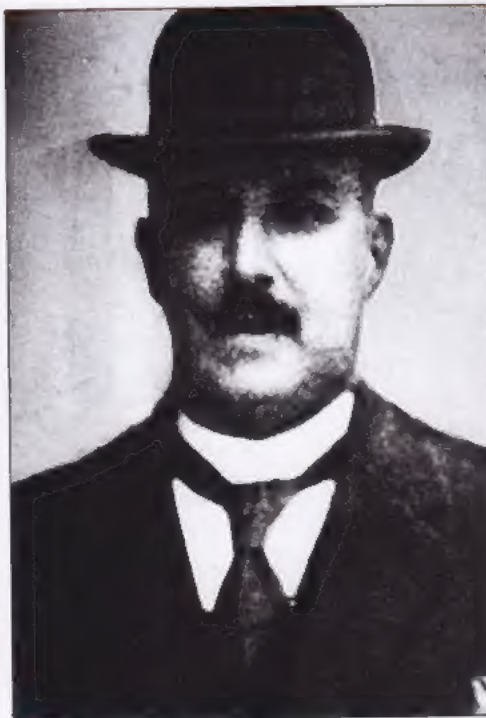
Two descriptions put out by police after the murder said the killer was clean-shaven – yet Slater always sported an obvious moustache.

Amazingly, the Lord Advocate never tried to prove Slater knew of the secret jewellery hoard, or any relation between the accused and the victim. So how did he get into the carefully double-locked house? The defence warned the jury to be very careful in identification evidence but, summing up, the judge said Slater was like the killer – or at least had a marked resemblance.

In an incredible attack, the judge said: "Slater lived for years past in a way that many blackguards would scorn to live. The man's life has been not only a lie for years but is so today."

That didn't leave the jury in much doubt how the judge felt. On May 6 they only took 70 minutes to find him guilty – nine for guilty, five for not proven, one for not guilty.

Slater, bewildered, stood up and called out to the judge as he donned the black execution cap:



■ Detective Trench and (below) Conan Doyle.

"You are convicting an innocent man."

He was sentenced to death, but after a petition of 20,000 signatures this was commuted, just 48 hours before the hanging, to life imprisonment.

In 1912, Sir Arthur Conan Doyle began a long campaign to free Slater with a big-selling sixpenny booklet. As a result, the case was raised in the Commons – but to no avail.

In Peterhead prison, Convict No 1992 thought of nothing else. As he wrote to his lawyer: "I will fight so long as I live in here. I want justice."

But one Glasgow detective, John Trench, involved in his case from the start, fervently believed Slater was innocent. He had interviewed the victim's maid Nellie that night and she said she knew the man in the lobby, who was known to her and her mistress, and it was not Slater.

Trench told Slater's lawyer David Cook, who contacted the Secretary of State for Scotland. Then a farcical secret enquiry was held by a sheriff. Trench told the hearing that Nellie knew the man in the lobby as 'AB' and that on the night of the murder she went to the victim's niece who said Nellie told her: "I am sure it was AB."

Trench claimed his chief superintendent said that this was "the first real clue we have got" but later said another senior officer was convinced AB had nothing to do with it.

Officers denied Trench had said anything about AB, as did the two female witnesses. As a result, the Scottish Secretary ruled in June, 1914, that there was no reason to interfere with the sentence.

A month later Trench, one of Scotland's finest detectives, was suspended by the Chief Constable for communicating with the lawyer. He was later dismissed by the city magistrates. But the police had not had enough revenge.

Trench joined the army. The day before he was due to sail for the Dardanelles in May, 1915, he was arrested for resetting jewellery stolen from a Glasgow shop 16 months earlier. The

lawyer, Cook, was arrested the same day. After a farce of a trial, the judge directed the jury to acquit both – amid applause. Trench rejoined his regiment and fought in France as a sergeant before being discharged in 1918. He died a year later, aged 50.

Hardly surprising, Slater was forgotten during the war. Conan Doyle wrote: "From time to time one hears some word of poor Slater from behind his prison walls, like the wail of some wayfarer who has fallen into a pit and implores aid from passers-by."

Then – like a scene from a Holmes novel – Conan Doyle had a strange visitor at his London home in 1925. A man just freed from Peterhead Jail had a message from Slater written on glazed paper which he had secreted under his tongue when released. It said simply: "For God's sake, try again. O.S."

Conan Doyle did. In vain, he pressed the Scottish Secretary to explain why Slater was still in jail when life prisoners were freed after 15 years. Then he instigated the publication of a book, *The Truth About Oscar Slater*, written by a journalist who got details from Trench. It was the vital turning point.

Trench's theory was that the man who called at the flat was on intimate terms with Miss Gilchrist, and wanted a document she had. They quarrelled, he struck her and she hit her head on the coal box.

Knowing if she lived long enough to tell the maid his identity, he would be charged with murder, he battered her with the leg of a chair. He then got the document from the casket and slipped out without being stopped as the maid knew him.

In the *Morning Post*, the famed crime writer Edgar Wallace reviewing the book wrote that obviously the maid knew the killer and he had been in the house when she left to get the newspaper.

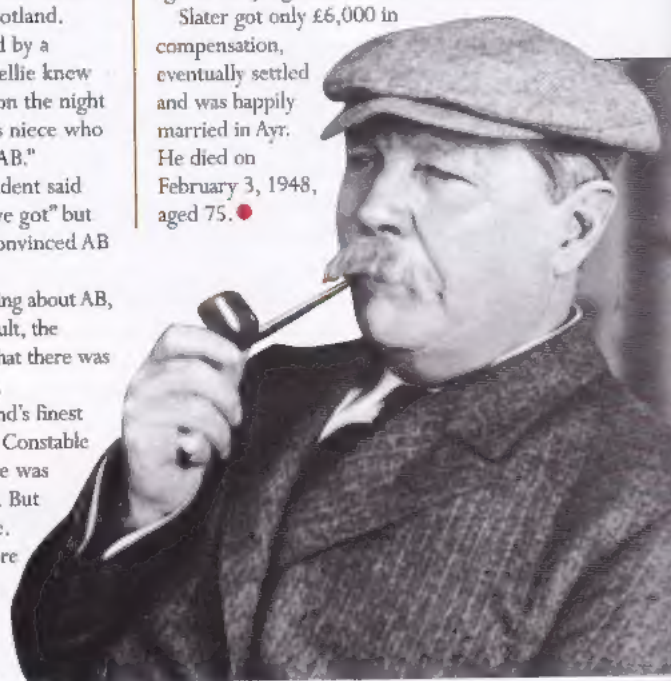
"In no other place in the British Empire would such a trial and conviction be possible," he wrote.

The maid then told the *Empire News* that she did know the man in the lobby and had told the police, but they told her it was nonsense.

On November 10, 1927, the Scottish Secretary said he now "felt justified" in releasing Slater – who walked free four days later.

Conan Doyle still pressed on and got a full public enquiry before five judges in Edinburgh. They agreed the judgment should be set aside.

Slater got only £6,000 in compensation, eventually settled and was happily married in Ayr. He died on February 3, 1948, aged 75. ●





■ Doune Castle: This mighty Medieval fortress was built by the Duke of Albany. His son Murdoch was executed just a few miles away at Stirling.

# Murdoch's last view



**Heads had to roll on James I's return, says biker historian David R Ross as he revisits Scotland's uncertain moment**

**W**hile James I of Scotland was a captive in English hands, and the land was under the control of

Albany as regent, the Lords of the Isles saw their chance to make inroads into mainland Scotland. They came against the royal forces at Harlaw on the River Urie. Perhaps I should call it Red Harlaw, as this is the name that most of our history books call this bloody encounter which ended in great slaughter, but still basically settled nothing and ended in stalemate.

The site can be visited a little north of the A96, west of Inverurie, and the battle's monument is a large hexagonal, pointed pillar, with signboards giving the details of the fight.

Another Scots army won a resounding victory fighting against the English at Bauge in France, an almost forgotten battle, probably because victory was achieved on foreign soil. But one or two mementoes of this French-based victory can still be found in Scotland.

Where the River Stinchar flows into the sea at Ballantrae in southern Ayrshire, above the junction of the B7044 and the A77 coast road, stand the ruins of Ardstinchar Castle. This castle was built by one of the Kennedy family. He had

fought with great honour at Bauge and was given a gift of money by the grateful French king. This new-found wealth allowed him to build his impressive castle here. It is now in a ruinous state, the main tower looking dangerously close to collapse, but enough survives to give us a little glimpse of what an impressive place it once was.

By the time James was released from his English captivity, his uncle Albany, the regent, was dead, but Albany's son – therefore James's cousin, Murdoch – was regent in his place. Murdoch had let the country go to rack and ruin, and for this James had him executed, along with his two sons, at Stirling.

You can still visit the spot of Murdoch's execution. On top of Gowan Hill – a spur of the castle rock which juts out in the direction of the old bridge at Stirling – stands the 'Heading Stone', or rather, beheading stone. This stone is now covered with a semi-circular iron grille. Nearby stand two cannon – representing a noticeable landmark from the area of Stirling Bridge.

Many figures from history were to meet their end here, with head laid upon the stone, but it must have been even more galling for Murdoch, as from here

he could see the countryside that encircled his castle of Doune, only some eight miles away to the north-west. Doune Castle, a mighty Medieval fortress, is open to the public, standing above the River Teith on the outskirts of Doune itself.

James I of Scotland was to eventually die at the hands of his assassins in 1437 at the Dominican Friary in Perth. James was fond of tennis and had a tennis court built at Perth for his pleasure. A similar court can still be seen at Falkland Palace. James was in the habit of losing expensive tennis balls down a hole at the side of the court, and so he had one of his masons fill it in. When trying to escape from his assassins, James dropped into a sewer to effect a getaway, but found his exit blocked. He had unwittingly had his escape route blocked up by the mason, and he died there, trying to fend off his attackers with his bare hands.

Though the monastery has gone, a pillar with an inscription to James marks the spot in front of the old James VI Hospital at York Place. Strangely enough, James's killers were also slain on the 'Heading Stone' at Stirling, after suffering days of torture on the orders of a wrathful Queen Joan, James's widow. ●

# Scotland's Story

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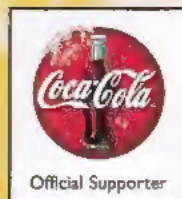
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